DOCUMENT RESUME

ED 274 734 UD 025 129

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TITLE	Ford Foundation Task Force on Statistical Policy and Data Needs for Hispanic Studies. Final Report.
INSTITUTION	Wisconsin Univ., Madison. Inst. for Research on Poverty.
SPONS AGENCY	Ford Foundation, New York, N.Y.
PUB DATE	Jul 83
NOTE	159p.
PUB TYPE	Reports - Descriptive (141) -- Reports - Research/Technical (143)
EDRS PRICE	MF01/PC07 Plus Postage.
DESCRIPTORS	*Demography; Employment; Ethnic Groups; Health; *Hispanic Americans; *Information Systems; Legal Problems; *Research Needs; Social Discrimination; *Socioeconomic Status; *Statistical Studies

ABSTRACT

Presented is the final report of an evaluation of statistical reporting systems which affect the adequacy and availability of data about Hispanics in the United States. The report proper consists of an introduction, an explanation of study goals and methods and summaries, with major conclusions and recommendation, of the reports of the subcommittees on population and housing, employment and discrimination, immigration, education, health and vital statistics, and criminal justice. The full text of these reports is provided in six appendixes which make up the bulk of the document. Primary recommendations of the study are: (1) funds should be provided to make needed design changes in the Current Population Survey (CPS) and a one-time supplement to the survey should then be conducted; (2) the CPS supplement should address specific questions concerning how the characteristics of employers and employees influence discrimination against Hispanics; (3) a longitudinal study of socioeconomic conditions affecting a cohort of immigrants and refugees should be instituted; (4) a pilot project should be established to relate the educational experiences of Hispanics to the nature of their school curricula, teacher characteristics, and immediate environment; (5) the quality of vital records used in states with large Hispanic populations should be evaluated; (6) research on the importance of reporting Hispanic ethnicity on all vital statistics records should be undertaken; (7) a national workshop for Hispanic health services researchers should be organized and funded; and (8) the Ford Foundation should consider funding several regional clearinghouses to collect data on Hispanics and criminal justice. (KH)

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FORD FOUNDATION TASK FORCE ON STATISTICAL POLICY AND DATA NEEDS FOR HISPANIC STUDIES

Final Report

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Institute for Research on Poverty
University of Wisconsin-Madison

July 1983

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July 1983

Final Report

FORD FOUNDATION TASK FORCE ON STATISTICAL POLICY AND DATA NEEDS FOR HISPANIC STUDIES

Introduction

The Task Force had as its purpose the evaluation of statistical reporting systems which affect the adequacy and availability of social, economic, demographic, and legal data about Hispanics in the United States. The specific goals of the Task Force were to assess current statistics available in each of these areas within the reporting system, to document the significance of those data for addressing research and policy questions, to identify the lacunae and deficiencies in the data that hinder the pursuit of priority research questions, and to formulate and set priorities among specific recommendations for a Hispanic research agenda.

The task force was organized and directed by Dr. Marta Tienda, University of Wisconsin-Madison, and consisted of three individuals with extensive research and practical experience in using Hispanic statistics: Dr. Leo Estrada (UCLA), Dr. Rumaldo Juarez (Pan American University), and Dr. Carol Jusenius (National Commission for Employment Policy).

Justification

In recent years, but particularly the past two decades, the amount of interest in the Hispanic population has expanded dramatically. Stimulated by growing requests to address specific questions about Hispanics in the areas of population and housing, employment and training, education, human services and legal services, policymakers and researchers who were called upon to evaluate the social, economic, and demographic status of Hispanics were forced to confront a critical shortage of information about Hispanic-origin groups. In response to demands from the research community for data about those groups, some data collection agencies (notably the Bureau of the Census, the Bureau of Labor Statistics, the National Center for Education Statistics, and the National Center for Health Statistics), gradually began to include identifiers that allowed researchers to distinguish Hispanics from other minority groups. The single most significant stride in this direction was the inclusion of a 100 percent item on the 1980 Census schedule to identify this greatly diverse population and to classify individuals according to the major national-origin groups. In fact, precisely because the Hispanic-origin groups differ extensively in terms of their socioeconomic, demographic, and cultural backgrounds, for most purposes it is unwise to treat Hispanics as if they were an undifferentiated, homogeneous population.

The Roybal resolution of 1976 (Public Law 94-311) gave legal and political legitimacy to the importance of including Spanish-origin identifiers in administrative and public data systems, although not all units of the statistical reporting system have responded promptly to the federal mandate. While various components of the statistical reporting system have made significant progress in recording Hispanic identifiers, there still remain rather substantial gaps which limit the extent to which policy-relevant research about specific topics can be undertaken. This report attempts to identify the key gaps and to present recommendations to resolve them. Overall, we propose recommendations for feasible research to illustrate the consequences of data gaps for policy-relevant social issues.

Legal data, for example, which are somewhat more difficult to obtain than demographic and social data, represent an area of great social importance. Data about the involvement of Hispanics in the criminal justice system, as reflected by crime statistics or statistics about time served in corrective institutions and penitentiaries, are in especially short supply. The rather nontrivial involvement of Hispanics with the criminal justice system suggests that such information should be gathered so as to provide solid evidence about the groups most likely to become involved with the law, and the circumstances under which such involvements are most likely to occur. The coverage of such incidents in the popular media provides an image of extensive delinquency among teenage Hispanics, but the extensiveness of this involvement vis-à-vis non-Hispanic whites or blacks has not been established. Also, information about service in corrective and penal institutions and repeat offender rates has not been widely available, nor has any nationally representative profile of types of crimes committed, by ethnic and social criteria. Such information would appear to be especially useful in devising programs to curtail crime and legal encounters of Hispanics. Some supplementary data on the participation of Hispanics in the legal and criminology professions would also be useful for providing a more complete picture of Hispanics and the law.

Health data, including statistics on morbidity, are important for devising policy aimed to provide equity of access to social services. Similarly, human services provided by state, local and federal programs which are allocated on the basis of an individual's ability to pay rely on detailed and highly regulated eligibility criteria. With Hispanic identifiers it should be possible to determine whether Hispanic usage of health and human services is higher or lower than that of non-Hispanic groups, including other minorities, and to guide future investigation into the sources of the differentials. Available studies suggest that there exist significant differentials in Hispanics' utilization of health and human services, although there is some conflicting information as to the direction and sources of the differentials. Effective social policy can only rest on knowledge generated from reliable and accurate data.

In the area of economic statistics, data collected by the Bureau of Labor Statistics which is used to generate monthly estimates of employment and unemployment can be tabulated for Hispanics, but not separately by national origin because of the size of the sample. The extent to which averages for the total Hispanic population distort our assessment of the experiences of each group needs to be documented, particularly in light of the fact that for the most part, the major Hispanic nationalities do not participate in the same labor market. Therefore, national statistics about Hispanic unemployment rates, for example, do not adequately portray the very diverse circumstances of the various national-origin groups.

For ethnic and linguistic minorities, education data are extensively collected for the different schooling levels as well as for special programs (i.e., special education, bilingual education, etc.). The latter have been extensively criticized both for their alleged inadequacy in serving the needs of Hispanics, and for the inadequate evaluation of program performance. Some of this criticism stems from inadequate data as well as insufficient time to evaluate program performance. To be sure, the type and amount of data collected on each aspect of the educational system will affect the course of policy about key issues for Hispanics, such as dropout rates, age-grade delay, and low representation of Hispanics in higher education.

Methods

The Task Force adopted several strategies to make best use of the rich resources upon which it could draw. First, four of the subcommittees--Population and Housing, Employment and Labor Discrimination, Immigration, and Education--met in day-long sessions to identify priority research needs and to arrive at particular recommendations. The reports of these subcommittees, with their enumerated recommendations, are contained in Appendices I through IV, attached.

Second, background papers were commissioned from those with special knowledge in certain areas: Appendix I.A and the section on Housing in Appendix I represent such commissioned work, as does the state-of-the-art paper in the report on Criminal Justice (Appendix VI.A).

Third, the Subcommittee on Health and Vital Statistics, under the direction of Task Force member Rumaldo Juarez, held three meetings. The first meeting, in the Rio Grande Valley, was attended by local officials involved in registering statistics and by a mortician. Juarez later convened two groups of national experts for day-long sessions in Washington, one to discuss vital statistics, and another to discuss health statistics. That Subcommittee's report forms Appendix V.

Finally, the Subcommittee on Criminal Justice held a workshop attended by representatives of national and state agencies representing various aspects of the criminal justice system. Its report, along with the paper referred to earlier, constitutes Appendix VI.

The Appendices are reports of far-ranging discussions--the pooling of ideas among researchers familiar with different data bases and different sets of problems, drawing on their own experience in order to reach consensus on a priority research agenda. What follows are summaries of those reports, in which we have condensed the substance and selected the recommendations that seem of overriding importance. To identify the primary, and occasionally the secondary, recommendations for each topic, the Task Force Coordinators, Marta Tienda and Betty Evanson, consulted with one or more members of the subcommittees. The reports representing the deliberations of the subcommittee meetings were circulated among all participants. All comments and suggested revisions have been incorporated into the text. We urge that the summaries be read in conjunction with the reports, which contain a more extensive presentation of the subjects under consideration as well as more detailed sets of recommendations that deserve attention in their own right.

I. SUMMARY OF REPORT ON POPULATION AND HOUSING

The essence of the Subcommittee report is that Census data, of immense general importance for social science studies, have even greater consequence for the study of Hispanics because of that population's heterogeneity, geographic distribution and mobility, and the rapid socioeconomic changes that have taken place over the last two decades.

The 1980 Census incorporated several improvements over the 1970 Census, notably the inclusion of the item to identify Hispanics on the short form and the questionnaire sent to all households. It nevertheless has its own problems, among them the misreporting of race (see section in

Appendix I), comparability of 1970 and 1980 Censuses, and deficiencies of small area statistics (see Appendix I.A).

Access to Census data by local agencies and non-university users is another problem area. Curtailment of Bureau funds has limited publication and dissemination of results. Local community users are bereft of the means to obtain needed data without help from the Bureau or other groups with higher capabilities, such as state data centers and universities.

The Current Population Survey is the major intercensal national instrument conducted with regularity to help analysts follow socioeconomic changes among Hispanics, yet it has certain problems, as described in Appendix I, which limit our ability to document intercensal changes with precision. In view of our urgent need to gain better understanding of the problems faced by the various Hispanic subgroups in a timely fashion, particularly under conditions of rapid social and economic changes, the single most important recommendation from the Subcommittee therefore concerns the availability of the CPS data.

Primary Recommendation: That funds should be provided to make needed design changes in the CPS and that a one-time supplement to the CPS then be conducted. The context of this supplement should emphasize substantive areas identified by other task forces.

A secondary recommendation concerns the need to make the available data accessible to state and local users who, by virtue of not being associated with a university or not having access to a sophisticated computing system, experience difficulties in obtaining population, housing, employment, and income data in a timely and inexpensive way. One possibility for resolving this problem involves funding demonstration projects under the auspices of the State Data Centers in three or four states with large concentrations of Hispanics. These demonstration projects, called HISPOP, would be modeled after the WISPOP system currently maintained at the University of Wisconsin (see Appendix I.B) and would be designed to provide, at minimal cost, data about the Hispanic population for the smallest geographic entities possible under current censorship guidelines.

Secondary Recommendation: That funds be allocated to establish HISPOP demonstration projects in areas with high concentrations of Hispanic populations.

Another concern of the Subcommittee (as well as the Immigration and Education Subcommittees) concerns the 1990 Census--that it retain the 100% Hispanic identifier and that it restore the parentage item that was dropped in the 1980 Census. That restoration will permit evaluation of intergenerational changes in social and economic status among immigrant and native-born subgroups. However, the Subcommittee and Task Force members were unable to identify the most effective strategies to communicate with the various components of the federal statistical reporting system.

In addition, funds should be directed toward programs enabling the Census Bureau to conduct workshops to train local community users to utilize the quantity of Census data becoming available; funds should also be provided to permit universities and corporations with large computers to help local groups make use of the Public Use Microdata Survey files, which contain a broad array of data about social and economic characteristics of the population in a machine-readable format. It is also suggested that by means of cooperative research agreements the

Census Bureau might be able to remedy the limitations on research that it now faces.

II. SUMMARY OF REPORT ON EMPLOYMENT AND DISCRIMINATION

The Subcommittee discussion covered a variety of topics: changing the nature of existing research to obtain more information on the characteristics of firms, the need for new theoretical developments in the research area of employment and discrimination, and the utility of obtaining more specific information on characteristics of workers. A related topic is the effect of self-employment and ethnic enclaves on labor discrimination. Appendix II lists the recommendations that followed from discussion of those points.

The most important recommendation, from the point of view of this Task Force, concerns use of data sources. It is clear that we must maximize use of existing data sets to avoid the costs of a comprehensive new survey related to employment and discrimination. Like the primary recommendation from Population and Housing, this one concerns supplementing the CPS; it also involves use of the National Longitudinal Surveys.

Primary Recommendation: To design a supplement to the CPS that would generate data addressing specific questions concerning how the characteristics of firms and of individuals (both employers and employees) influence discrimination against Hispanics, and to provide support for continued follow-up surveys of the NLS Youth Cohort.

Until a supplemental study is done and its data available, research should be funded to integrate evidence from studies of both firms and individuals, in particular the evidence that will clarify the role of ethnicity in causing differential treatment in the labor market.

III. SUMMARY OF REPORT ON IMMIGRATION

The focus of the subcommittee was twofold: to assess data and statistics as they relate to U.S. immigration policy, and to address the general problem of relating immigration/migration to larger economic changes as well as changes in group and individual well-being.

Salient among our research needs is to gain understanding of the dimensions and implications of the patterns of the residential distribution of Hispanic immigrants. Puerto Ricans are dispersing across the country and moving back and forth from mainland to island; other Hispanic immigrants are settling in particular areas, and we know little about their effect on the local labor market, or that market's effect on their lives. Migration histories are needed; longitudinal studies will give us better understanding of the relation of immigration, migration, and return migration to changes in the socioeconomic characteristics of migrants and nonmigrants.

Illegal immigration is a component of these studies. The Immigration and Naturalization Service has a potentially valuable data source in its records--now stored temporarily and then discarded--on deportable aliens. Research could utilize that information, as well as published data on immigrants and refugees who become citizens, for evaluation of proposals to legalize the status of illegal aliens. Visa applications could be put to similar use to assess proposed changes in immigration quotas.

The recommendation of greatest importance for Hispanic immigration concerns the need for a special longitudinal study.

Primary Recommendation: That a longitudinal study of a cohort of immigrants and refugees, in tandem with the study proposed by Congress under the Simpson-Mazzoli bill, be instituted. The study should gather information not only on such variables as education, health care, and occupation, but also on socioeconomic conditions at place of origin as well as destination.

Secondary Recommendation: That studies of the local impacts of immigrants be commissioned in specific areas--e.g., Southern California, New York City, Chicago, Miami--where Hispanic researchers already possess information on regional conditions. Such studies would enlarge our understanding of the effects of immigrants and refugees on the societies and economies in which they work.

IV. SUMMARY OF REPORT ON EDUCATION

The Subcommittee focused on identification of priority research areas, data sets available to address research questions, and the development of innovative ways to make use of existing data.

A critical problem is to learn what combination of school characteristics, student characteristics, and community characteristics explains the progress--or lack of progress--in educational attainment among the various Hispanic subgroups. We need to know more about the educational transitions within and between levels (primary, secondary, post-secondary), about the incidence and prevalence of delay in grade, and about the condition of dropouts. We also need to develop specific measures of progress.

Information from primary and secondary schools needs to be combined with university records so that we can learn more about schooling achievements and the quality of instruction given to Hispanics in higher education.

The data that will permit us to address these research areas include (1) multi-level data sets (schools, districts, counties, states) and (2) longitudinal data. For the first type, we have 1980 Census data and state administrative data; a merger of the two holds promise for effective research strategies that can illustrate how schools, community, district and state all influence individual outcomes. Valuable longitudinal surveys include High School and Beyond, and the National Longitudinal Survey Youth Cohort. In both cases we must wait for the participants to age so that we can link measures of school progress to later work outcomes. In the meantime, we must encourage data collection that has a multi-level orientation, especially those types which will permit us to bring together the records currently kept by schools with information gathered in national surveys.

Primary Recommendation: To establish a pilot project demonstrating the feasibility of merging survey and Census data with state-level administrative data to help answer questions concerning how individual performance depends on features of the school system and local community. The purpose of such research must be to relate the educational experiences of Hispanics to the nature of their school curricula, the characteristics of their teachers, and their immediate environment.

In the meantime, encouragement should be given to research that applies creative methodologies to existing data sets in order to document and compare the labor market experiences of Hispanic school dropouts versus school completers.

V. SUMMARY OF REPORT ON HEALTH AND VITAL STATISTICS

This Subcommittee provided both a local and a national perspective of the problems in vital and health statistics as they pertain to Hispanics. Among the topics covered were ethnic-origin identifiers in vital records; the accuracy and extent of coverage of health and vital statistics; and training and resources devoted to maintaining a quality registration system. The committee identified several procedural reporting problems, including those unique to the U.S.-Mexican border communities. Several problems that were identified deserve further study and action to improve the availability and quality of data on health and vital statistics, which are essential to address questions of differential levels of physical well-being among Hispanic groups, as well as questions concerning differences in mortality and fertility data.

The local perspective was provided by using the state of Texas as an illustrative case. The committee identified several sources of error in data collection, and its main recommendation therefore concerns this issue.

Primary Local Recommendation: To conduct an evaluation of data quality to determine the consistency and validity of the vital records used in states with large Hispanic populations, and while doing so to endeavor to search for consistency among community and state records. Particular attention should be placed on the racial and ethnic data, and on the methods used to obtain such information, a concern which is especially important among the border communities.

Because much of the misclassification of Hispanic births and deaths results from the limited training provided to registrars, both at the local and state level, a secondary state and local recommendation centered on the need to organize continuing education courses to update the training of individuals involved in the registration of vital statistics, including hospital personnel, but also those responsible for city and county recordkeeping.

The discussion with national representatives of the health and vital statistics registration systems revealed that 22 states report births and 20 report deaths of individuals of Spanish origin, and these states account for 80 to 90 percent of all births and deaths among Hispanics. Although the District of Columbia and Florida collect Hispanic ethnicity on birth certificates, they do not do so on the death certificate. In addition, there are a number of states with substantial Hispanic populations that should be required to collect ethnic-origin information in their vital records. These include Michigan, Wisconsin, Louisiana, Connecticut, and Washington. Moreover, collection of ethnic-origin data should be required rather than being optional, as currently is the case in California, the state with the largest Hispanic population.

To avoid misreporting of Hispanic origin and to provide consistency across data bases, the categories which have proven most successful (by the Census Bureau) should be adopted. For example, Texas residents, who make clear distinctions between the labels Mexican American and Mexican, should be allowed to respond to either category, and not be forced to use the latter. In the final analysis, having Hispanic ethnicity data for 22 states is limited in value if this represents substantial errors of reporting and coverage. These considerations led to the following recommendation for the national vital statistics system.

Primary National Recommendation: To fund research illustrating the importance of reporting Hispanic ethnicity on all vital statistics records, and to undertake research to demonstrate ways of improving the accuracy of reporting. (Specific research projects are suggested in Appendix V.)

In the area of health, the committee identified considerable progress in the availability of data, especially survey data, about the health status of Hispanics, particularly since 1970. However, the existence of such data does not ensure its accessibility to state and local groups, nor does it ensure its availability for public consumption for several years. Further compounding the problem of the availability of health data is the fact that national surveys which have collected Hispanic data do not publish results as frequently or as extensively as is the case for the black and white populations. Moreover, the increase in the availability of Hispanic health data has not necessarily resulted in addressing numerous issues in Hispanic health research. The committee identified several research topics in the area of health that need to be addressed.

Among the most serious data gaps is the failure of those responsible for data collection to acknowledge the importance of differentiating among Hispanic national-origin groups, or in using standard terminology for ethnic identity. For the health data area, the committee emphasized the following.

Primary Health Recommendation: To organize and fund a national workshop for Hispanic health services researchers for the purpose of developing a research agenda and data dissemination plan based on the

Hispanic Health and Nutrition Examination Survey (HANES) data, to become available in December 1984.

VI. SUMMARY OF REPORT ON CRIMINAL JUSTICE

Until the last decade or so, American criminology focused almost exclusively on the individual causes of crime, the rehabilitation of the convict, and the prevention of crime. Yet social policies suggested by criminologists have not significantly reduced the burden of crime in Hispanic communities. This "burden of crime" is highly visible in both the high rate of criminal victimization and the disproportionate number of Hispanics (especially Hispanic youth) locked into the criminal justice system. The tragic suffering resulting from these realities has prompted Hispanic leaders to call for reforms of the system. Part of this call has been for greater Hispanic input in criminal justice policy-making.

Another aspect of this crusade has been the demand for improved collection, analysis, and distribution of data/information on Hispanics and criminal justice. Existing data are inadequate for either basic research or policy-making purposes, and the historical data are all but nonexistent. Since about 1980, data have improved somewhat, but on the whole they remain unreliable, fragmentary, and often contradictory. A further problem in the limited survey data (e.g., self-reports, victimization studies, etc.) is that the survey questions are often formulated for the general population and therefore lack cultural specificity.

Without sound empirical data on criminal justice by race and ethnicity, it is difficult to assess such key concerns as the extent and type of criminal activities in Hispanic communities, Hispanic crime rates, and criminal justice involvement compared to other communities, community attitudes (reactions) to crime, the need for new programs and evaluation of existing ones. In short, there should be a uniform national system for gathering, maintaining, and distributing statistical data on Hispanics and criminal justice (and the system should be sensitive to the differences among Puerto Ricans, Mexicans, Cubans, Central and South Americans).

In the area of collecting, compiling, and disseminating data and information on Hispanics, the Ford Foundation could play an important advocacy role on behalf of the Hispanic community, in at least three significant ways: (1) to support Hispanic efforts to keep abreast of information on Hispanics and criminal justice; (2) to fund several regional clearinghouses for the retrieval, cataloguing, and dissemination of information; and (3) to support research responsive to the identified needs of the Hispanic community with regard to criminal justice.

Primary Recommendation: That the Ford Foundation consider funding several regional (California, Texas, New York, Florida) clearinghouses to collect and catalogue data, documents, reports and other materials (including nontraditional community literature, e.g., newspapers, pamphlets, etc.) on Hispanics and criminal justice.

These clearinghouses should be accessible to both researchers and community-based agencies and organizations, and if possible a bibliographic newsletter should be printed, periodically updating materials received. A tandem activity is for the Ford Foundation to consider funding a national directory/research inventory which would identify researchers and research units conducting research on Hispanics and crime.

One of the biggest gaps in the field of criminology is the poverty of good ethnographic data. Statistical data suggest that an overrepresentative number of Hispanics are in prison, sentencing patterns are discriminatory, and police use of deadly force is out of proportion in the barrios and ghettos. These studies, however, reveal little about how these dynamics have unfolded over time and become a persistent reality of barrio life. Further, they remain essentially unconnected to larger changes in the political economy (e.g., fiscal crisis, marginalization, urban flight, etc.).

Consequently, another crucial research need is to unravel and explain the complex interconnections among race, ethnicity, crime, and barrio life. While statistical data are certainly useful in this research mission, good ethnographic descriptions of life in Hispanic communities would generate additional rich findings upon which to build social policies and programs. Community studies which link structures of political economy to culture (the way Hispanics adapt to the communities, including the development of alternative institutions) and biography (how individuals choose their options) would generate crucial data for understanding crime and criminal conduct among Hispanics. Furthermore, the cross-comparison of Chicano, Puerto Rican, and Cuban communities would help to explain both the similarities and differences among these ethnic groups. The return would be invaluable for policymakers.

Secondary Recommendation: That a series of ethnographic community studies be conducted with an emphasis on crime and criminal justice activities in the barrio. At least two Mexican American, Puerto Rican, and Cuban communities should be studied, with a final study comparing all these ethnographies.

Appendix I

REPORT OF SUBCOMMITTEE ON POPULATION AND HOUSING*

Marta Tienda, Convenor
David Alvirez, Pan American University
Leobardo Estrada, UCLA
Edward Fernandez, Census Bureau
John Goodman, The Urban Institute
Manuel Lopez, Pan American University
Douglas Massey, University of Pennsylvania
Jeffrey Passel, Census Bureau

The 1980 Census

Dr. Jeffrey Passel, who, along with Mike Levin and the Ethnic and Spanish Statistics Branch at the Census Bureau, has been actively involved in assessing the adequacy of the ancestry and origin items from the 1970 and 1980 Censuses, described the performance of the Hispanic self-identifier, used for the first time in 1980 on a 100% basis. The Bureau's consensus is that the identifier has proved generally successful, particularly in providing reliable estimates of size and characteristics of the Hispanic population at the national level.

Two main types of response error have been found: overreporting of about 200,000 Mexican Americans in the South and East, where some non-Hispanic respondents apparently did not understand the term "Spanish/Hispanic" and/or apparently reacted to the "American" half of the compound, and possible underreporting of Hispanic identity among those who have two or more of the five characteristics which are associated with Hispanic origin (ancestry, language, place of birth, race, Spanish surname). Overall, the net response error is probably very small, the major result being a small misrepresentation in the geographic distribution of Hispanics (too many Mexican-Americans in South and East; too few in Southwest).

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*All of the Subcommittee members met in Washington, D.C., on March 29, 1983, with the exception of Douglas Massey, who wrote the paper that forms Appendix I.A, and John Goodman, who wrote the section on Housing Research and Data Needs.

The identifier has nevertheless proved effective at the national level, but for some specific subnational areas possible misreporting can have significant implications for use of the data. One measure of its effectiveness is that the Census enumerated approximately 1.5 million more Hispanics than appear in the CPS (whose design is still, and will be for another 1-2 years, based on the 1970 Census). The identifier has been particularly accurate for Cubans and Puerto Ricans in 1980; for Mexicans, the 100% identifier works less well in areas where there are very few Hispanics.

One pressing project needing attention is the evaluation of ancestry and origin items for measuring ethnicity. This project could benefit the entire user community which relies on census data for learning about the Hispanic population.

Race "Misreporting"

Another Census feature which may create problems in making comparisons with other data sets is the classification of about 40% of the Hispanic population as of "other race." The published documents will "understate" the proportion of whites by 40% of 14 million, or roughly 5.6 million, when race comparisons are made between 1970 Census data or National Center for Health Statistics data and 1980 Census data.

Serious consideration needs to be given to rewording the race question for the 1990 Census. In the 1980 Census, the Questionnaire Reference Book D-561 which provided Census personnel with information on how to answer questions on race posed by respondents and how to classify write-in entries that referred to "Other--Specify" led to Hispanic categories being racially classified as "other" (with the exception of Basque and Spaniard). It would seem more accurate, in 1990, to instead classify such respondents as "white," in accordance with the 1970 editing instructions.

One possible future Bureau project is editing the sample data from the Census long form at the individual level to include race classification according to the OMB criteria and Hispanic-origin classification according to specifications based on other variables. Such editing would produce tabulations of the Hispanic-origin population and race data consistent with other data sets. The result, if accomplished, would probably be published as a Special Report. This document would probably reflect results of additional data recoding using the ancestry information and would be accompanied by an appendix detailing the decision rules to prospective users of the micro-use data files.

The November 1979 CPS provides a great deal of data relating different measures of ancestry, origin, and ethnicity. In addition, a CPS Supplement that relates birthplace and parentage for the adult population as well as fertility among foreign-born women is being prepared (April 1983 CPS).

Comparability of 1970 and 1980 Censuses

For purposes of longitudinal analyses, the lack of comparabilty of Census data on Spanish origin is a problem. (The 1970 Census used a 5% sample item for Hispanic self-identification.) The root of the problem is the apparent overall underidentification of Hispanics according to the Spanish origin identifier which occurred in 1970, notwithstanding the substantial overreporting in the Central and South American category. The exclusion of a category for Central/South Americans resulted in a much larger share of other-Spanish-origin persons in 1980. Comparison of the Hispanic-origin population in 1970 to the Hispanic-origin population in 1980 overstates population growth. More accurate, in Dr. Passel's opinion at least, for measuring change in population size is comparison of the derived heritage item in 1970 with the Spanish-origin item in 1980. These comparisons are not exact, however; consequently, small differences and small residuals should not be accorded substantial significance. Other members of the Subcommittee disagree with this strategy for measuring change, and request further empirical evidence before recommending it as a general-purpose rule.

A comparability problem is also posed by the 1980 change in occupational classification. A dictionary translating one into another is in process and should help users with access to the micro data files.

Linkage between the two censuses is provided by the November 1979 CPS, which asked all the Hispanic-related items from both censuses. All indications are that the 100% Spanish-origin item will be continued in 1990 and problems of intercensal comparability reduced, but we must continue to insist on that procedure. Furthermore, we must insist on restoration of the parentage item, which is essential for the study of the economic progress of immigrants.

Improving Data Accuracy and Timelines

Currently, the CPS is the major intercensal national instrument to study changes in the social, economic, and demographic characteristics of the population. However, estimates of the Hispanic population derived from 1982 and 1983 surveys are below the 1980 Census figures. In 1970, redesign of the CPS sample based on the 1970 Census rather than the 1960 Census added a substantial number (in excess of 500,000) to the size of the Hispanic population estimate derived from the CPS. A similar result may be achieved when the CPS is redesigned to incorporate 1980 Census results. It should be noted, however, that there is no specific evidence to indicate that the CPS sample design is the cause of the current difference between Census-level estimates and the CPS figures. To remedy this problem of understatement of the size of the Hispanic population, the Census Bureau is considering the introduction of Hispanic population controls into the CPS. Using independent estimates of the size of the Hispanic population, the plan is to develop weights and apply them to make the CPS Hispanic population more consistent with the comparable 1980 Census population. Considerable technical problems are involved in constructing the weights, however.

Census data do not provide information for analysis of internal migration; "residence five years" ago is the only item that touches on the topic. Available evidence indicates that there is a reverse of the migration flow away from the traditional settlement areas; migrants now seem to be moving back. This new trend has social and economic implications in that it raises questions about the long-term integration experiences of Hispanics. Researchers seem to have "missed" much of the migration process that transpired during the intercensal period. Therefore, including migration questions in a CPS could help researchers learn more about the volume and direction of flows and the composition of migrants.

Because the Hispanic population is heterogeneous and rapidly changing, it is especially important to have some form of census data available at mid-decade. In view of the importance of the CPS as an intercensal data source and the need to redesign it to provide more accurate socioeconomic indicators for the Hispanic population, the Subcommittee submits its major recommendation.

Recommendation 1: Funds should be provided to aid the redesign of the CPS and the development of Hispanic controls and to conduct a special intercensal CPS supplement in 1985 or 1986 to produce a data base similar to the 1976 Survey of Income and Education.

Immigration

A Census Bureau analysis of the size of the legal alien population in comparison to the alien population counted indicates that as many as 2 million illegal immigrants were counted in the 1980 Census. The majority (although not an overwhelming one) of the illegals counted are Hispanic. Detailed analysis is in a paper presented by Warren and Passel at the Population Association of America meetings in April. This type of analysis conducted by experts at the Bureau is important because it provides some basis for introducing the factor of illegal immigration in the projected CPS population weights.

Such valuable research is hampered by the shortage of research personnel at the Census Bureau. This leads to

Recommendation 2: To speed up the processing and analysis of data, the Ford Foundation might consider funding Cooperative Research Agreements between the Census Bureau and trained researchers. The Bureau has the data but lacks research analysts; outside researchers have the skills but often lack the data. Collaborative agreements might correct the mismatch. For example, the Ford Foundation might consider funding post-doctoral fellows at the Census Bureau. Trained young scholars could benefit from the experience of analyzing Census data at its source; the Bureau could benefit from having trained researchers in-house who could devote their time and energies to evaluation of the Hispanic data and preparation of technical reports to potential users.

Availability of Census Data

The Summary Tape Files are now being released, with valuable cross-tabulations on detailed socioeconomic characteristics. The Public Use Microdata files will soon be available. The availability of these resources raises a basic issue: some of the most important users of these data lack the technical skills and machine hardware to utilize them. Community organizations and local governmental units need this information to prepare grant proposals for shrinking federal funds, yet they do not have the capability of reading the files and tapes and extracting the appropriate data.

The resources of major universities and others with large computers might be made available to run needed printed data from the computer tapes. A local community committee could work with those who have the computers to determine what kind of data in printed form would be potentially most useful. Another alternative is to provide funds to State Data Affiliate Centers, set up by agreement between the Census Bureau and Governors' Office in each state, to provide the needed data to local comminity users. The WISPOP model described in Appendix I.B. provides on concrete alternative for such a program. Conceivable, a HISPOP program could be developed along similar lines.

The users who lack access to large computers also need more regularly published reports from the Census Bureau, whose publications program has been curtailed for lack of funds.

Recommendation 3: That funds be devoted to programs enabling the Census Bureau to conduct local workshops (state or area level) to train local community users who now either lack the technical knowledge or machine resources to utilize the vast data that are becoming available; and that funds be provided to permit institutions with large computers to develop model HISPOP programs to provide, at minimal cost, recent Census data about the Hispanic population for small geographic entities.

Housing Research and Data Needs

In many respects the research topics and data needs pertaining to Hispanics' housing are the same as those of blacks, a population group for which we have a far more extensive track record of housing research and data evaluation. Both groups differ from the non-Hispanic white population in the key housing dimensions of quality, price, and location.

Much of the social science literature on racial differences in housing has been concerned with estimating the extent to which differences in housing outcomes are attributable to racial discrimination, rather than socioeconomic differences between the black and white populations. The same priority would seem to apply to the research agenda on Hispanic housing. Answers to the question of the prevalence of housing market discrimination against Hispanics would be valuable for determining the priority to attach to legislative and judicial, as opposed to economic, strategies for improving Hispanics' housing conditions. To date, there have been very few reputable studies of this important issue of housing market discrimination against Hispanics.

As to data needs, we need to utilize more fully the data bases already existent before making recommendations for additional expensive data collection activities on Hispanic housing. The Annual Housing Survey, which was recently renamed the American Housing Survey to preserve the acronym, is a biannual survey. The AHS microdata files give detailed housing characteristics and adequate household demographic and economic data for a probability sample of 70,000 U.S. households, with smaller independently drawn samples of 5 to 15 thousand households in each of the 60 SMSAs. The ethnicity code has a separate category for Hispanic - Central or South America, but is otherwise similar to the 1980 Census question. As such it shares the Census question's strengths and weaknesses described above. Researchers have barely begun to tap this data source for information on Hispanic housing conditions. In all dimensions other than geographic detail (at best the county of residence can be identified in the files currently available), the Annual Housing Survey is a superior data base for generalizable analyses of the housing conditions of Hispanics. We should be using it more.

Appendix I.A

A Summary and Evaluation of Local Area Statistics on Hispanics

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Introduction

Because of the close connection between social and spatial relations in modern society, residential patterns have a profound influence on minorities' socioeconomic well-being. Opportunities and resources vary geographically, and where one lives plays a large role in determining one's life chances. A list of important socioeconomic variables influenced by residential location includes the cost and quality of housing, health and sanitary conditions, exposure to crime and violence, quality of services (such as education), and access to economic opportunity. Residence is also important in determining a host of less tangible factors ranging form the character of children's playmates to the kinds of role models they emulate. Thus, is order to fully understand a group's socioeconomic position in society, it is necessary to understand its spatial position as well.

Sources of Local Area Statistics

The study of Hispanic residential location requires small area statistics--that is, data provided for geographic units below the county level. Virtually all such information comes from the decennial Census of Population and Housing. While some local jurisdictions do collect and tabulate their own information through special censuses, this information is generally used as a supplement to, and not a replacement for, census data. Only the U.S. Census Bureau has the resources and organization to collect detailed small area statistics on a wide scale; and it only tabulates these data every ten years. Intercensal data on Hispanics are gathered through the use of sample surveys (such as the monthly Current Population Survey) which do not contain enough respondents to permit the tabulation of small area statistics. Thus, when it comes to local area studies, social scientists rely almost entirely on census data made available on a decade by decade basis.

The major geographic divisions below the county level are places (such as towns, cities, or unincorporated areas), county subdivisions (called minor civil divisions or census county divisions), census tracts (small homogeneous areas within metropolitan areas), and blocks. In studying the spatial position of Hispanics in society, the most important of these areal units is the census tract. Bigger units tend to be too large and heterogeneous to capture accurately a group's true residential situation. Units smaller than census tracts accurately depict the spatial situation, but their smaller population sizes often reduce the N so much that cell sizes fall below the threshold values required by the Census Bureau for release. As a result, the use of blocks leads to the loss of significant amounts of socioeconomic detail through suppression of tabulations with small cell sizes.

At this point, it is difficult to describe and evaluate the Census Bureau's small area statistics for 1980 because many of the relevant publications and tapes have not yet been released, and the technical documentation is not yet available. It is therefore difficult to know exactly which variables are going to appear in the final tabulations, except in very global terms. The information outlined here was taken from the 1980 Census Users' Guide Part A.

In general, local area statistics will be released in one of two forms: in published reports or on computer tapes. In the former category, document PHC80-2 will present counts of Hispanic by census tract within metropolitan areas, along with basic socioeconomic and demographic characteristics of the tracts. Hispanics themselves will not be cross-classified by socioeconomic variables, but counts of the different Spanish Origin groups will probably be presented. In addition, PHC80-1 will present similar, albeit more abbreviated, information at the block level. However, due to financial constraints imposed on the agency in the wake of the 1980 Census, PHC80-2 will not be published on paper, but will only be released on microfiche. Finally, counts of Hispanics and other ancestry groups, and more detailed socioeconomic information, will be presented for larger geographic units--such as places, minor civil divisions, and SMSAs--in PHC80-3.

While they are better than nothing, the utility of these published reports in understanding the spatial situation of Hispanics is limited by the fact that Spanish Origin will not be cross-tabulated by socioeconomic and demographic variables. This information will be made available only through the Summary Tape Files series (STF's). The STF's are numbered 1 through 4. STF1 and STF2 present tabulations of complete-count data (such as age, sex, marital status, race, and Spanish Origin), while STF3 and STF4 present tabulations drawn from sample estimate data which include most social and economic variables.

The most important sources of information on local area statistics will be the STF4 tapes, which will contain the most complete summary of social and economic characteristics for Hispanics. The STF4 tapes correspond to the old "Fourth Count Summary Tapes" of the 1970 Census, which provided the basis for almost all studies of Hispanic segregation during the past decade. The STF4 tapes will be divided into three files. File A will present basic data for census tracts in all SMSAs, cross-tabulating whites, blacks, American Indians, Asians, and Hispanics by a full array of socioeconomic and demographic variables. In Files B and C, the smallest geographic units will consist of county components such as minor civil divisions and places, but more ancestry groups will be cross-tabulated by the full array of SES variables (up to 10), as will the four basic Spanish Origin groups (Mexicans, Puerto Ricans, Cubans, and Others). As in 1970, most studies of Hispanic segregation and residential location will rely on File A of the STF4 tapes, as will any detailed analysis of neighborhood change or characteristics.

Improvements Made by the 1980 Census

During the last decade, the Census Bureau has adopted several changes which have improved national and local statistics on Hispanics. First, the agency put a great deal of time, effort, and money into reducing the undercount that plagued the 1970 Census. While their efforts did not eliminate the problem, they were apparently successful in significantly improving coverage of Hispanics and other minorities. Local area statistics are especially vulnerable to biases stemming from underenumeration. Hispanics missed by the census are not representative of the population in general. They tend to be foreign-born males in the young adult ages, with a socioeconomic status that is below average. The undercount thus biases upwards estimates of socioeconomic variables such as education, occupational status, and income; and it biases downwards factors such as population density, fertility, and percent foreign born.

Moreover, the unenumerated tend to be spatially concentrated within inner cities, particularly in low status areas characterized by a high concentration of foreign born. Thus, while the percent error enumeration may be low for Hispanics in general, within many small areas containing large numbers of Hispanics, it may be quite large. Within areas of Hispanic concentration, biases will therefore be more severe than in other neighborhoods, disrupting any study of areal variation within this population. The apparent improvement in coverage in 1980 has therefore acted to reduce such biases over 1970.

A second improvement over the 1970 Census is the adoption of a complete count item on Hispanic origin. In 1970, the "Spanish American" population was defined primarily on the basis of a 15% sample question asking about the use of Spanish in the home, or from a 15% sample item on Spanish surname. A "Spanish Origin" question similar to the one employed in 1980 was asked in 1970, but in only 5% of households. The issue of sampling vs. a complete count is relevant because as areal units become smaller, sampling error becomes more and more of a problem. In small local areas, estimates can be very unstable. This is especially a problem for Hispanics compared to other minorities such as blacks, because Hispanics are more widely and more thinly distributed in space. Sampling error is more likely in small areas with only a few Hispanic households than in one that is predominantly Hispanic.

Finally, a great improvement over the situation in 1970 was the adoption of a uniform definition of "Hispanics" in all regions of the country. In the detailed cross-tabulations provided for local areas by the 1970 Fourth Count Tapes, Hispanics could be defined in one of three ways, depending on the regions of the country. In the southwest, they were defined as persons of Spanish language plus those of Spanish surname but not of Spanish language. In the northeast, Hispanics were defined as persons of Puerto Rican birth or parentage; and in the rest of the country, they were identified as persons of Spanish language. While comparable definitions could be constructed to give total counts of Hispanics in small areas of SMSAs in 1970, such comparability could not be achieved for comparisons involving socioeconomic and demographic variables, creating many difficulties of interpretation.

Problems with the 1980 Census

In spite of the improvements we have mentioned, several problems with small area statistics remain, and new problems have been created by the improvements themselves. For example, the adoption of Spanish Origin as the uniform definition of Hispanics during the 1970s created the problem of comparability between the 1970 and 1980 censuses, since socioeconomic tabulations within census tracts will define Hispanics in completely different terms at the two dates. It is now impossible, for example, to chart socioeconomic trends for Hispanics within small local areas during the 1970s.

A related problem is that when Spanish Origin was chosen as "the" Hispanic identifier, it was selected to the exclusion of an parentage question. The 1980 Census did not ask country of birth of parents, so it is now impossible to identify a second generation of Hispanics, as it was in 1970. The effect of generation on spatial mobility and segregation is extremely important in trying to understand the spatial, and hence, the socioeconomic position of a group in society. Whether a group is as highly segregated in the second generation as in the first can be very important information when trying to discover patterns of discrimination in housing, or barriers to Hispanic spatial mobility. While the 1980 data does allow the identification of Hispanics of second generation or more, it is often in the second generation itself that crucial residential redistributions take place. The lack of a parentage variable severely hampers spatial analyses of the Hispanic population.

Another difficulty is that the Census Bureau does not cross-classify Hispanic subgroups, or other ancestry groups, by socioeconomic variables at the census tract level. The smallest geographic divisions for which such data are available are county subdivisions and places. The lack of socioeconomic data on particular Spanish origin groups at the tract level means that contrasting mechanisms of Hispanic segregation cannot be analyzed. Given widespread social, economic, and cultural differences between the groups, and in light of known differences in residential patterns, this is a great handicap, especially in areas which contain large numbers of several different Hispanic subgroups, such as Los Angeles, New York, and Chicago. Rather than separately analyzing processes of residential location and segregation among Mexicans, Puerto Ricans, and Cubans, the social scientist is forced to adopt the fictive definition of a single homogeneous "Hispanic" population. On the other hand, the lack of socioeconomic data on other ancestry groups within census tracts severely limits the basis of comparison. Research has shown, for example, that Hispanic spatial mobility is much less disadvantaged than that of blacks. Equal socioeconomic inputs lead to much more integration and greater freedom of movement of Hispanics. But blacks are admittedly an extreme base of comparison. How do Hispanics fare compared to other origin groups? We don't know and we can't know because the small area tabulations are not available for other ancestry groups.

Another problem with the 1980 census is the lack of detailed published data on Hispanics for small areas. In response to budget pressures, the Census Bureau has scaled back its publication program. Particularly hard hit have been the publications of small area statistics. Very good profiles of Hispanics within local areas can always be built up using data from the STF4 data files, but this requires access to modern computers and experience with Census Bureau tapes and documentation, as well as considerable expenses. For many community agencies, local planning commissions, neighborhood groups, and academics outside of major research universities, the large-scale use of computers is simply not feasible. The cancellation of block statistics reports, and the rudimentary data presented for Hispanics in published tract reports, means that many deserving data users will no longer have access to the information they need. Access to small area statistics is increasingly becoming restricted to a small group of academics and professionals in elite universities, wealthy corporations, and large government agencies.

Finally, a problem intrinsic to our current reliance on decennial censuses for almost all information on local areas is the generally dated nature of small area data. Small area data are only tabulated every ten years. While sample surveys are widely used to supply basic social and demographic information for states and even SMSAs on a regular basis, sampling methods cannot be easily adapted to provide data on small areas. Rather, mid-decade data on small areas would require another census. The inherent time lag is aggravated by the production delays usually experienced in preparing small area data for release. For example, at this point in 1983, the only detailed tract data available is for 1970, 13 years out of date. The 1980 tract files will not be released until later this year, and analyses really won't begin to appear until 1985 or after. Thus a basic problem with all small area statistics is that they are chronically out of date.

Recommendations

From this review of local area statistics on Hispanics, several recommendations can be deduced.

1. The Census Bureau should continue its efforts to minimize coverage errors in the future censuses. Small improvements in overall rates of coverage can actually mean great improvements in enumeration within particular small areas.

2. The Spanish Origin question should continue to be used on a complete count basis as the sole basis for identifying Hispanics. Comparability between censuses at this point outweighs any conceptual preference for another definition, and its application on a 100% basis eliminates problems of sampling variability within small areas.

3. The question on parentage should be reintroduced. It is a variable of crucial importance in studies of Hispanic segregation and

residential location, as well as being indispensable to the interpretation of national and regional trends.

4. Cross-tabulations by socioeconomic and demographic variables within census tracts should be expanded to include Hispanic subgroups and other ancestry populations. For purposes of comparison, cross-tabulation of these groups by even an abbreviated set of socioeconomic variables would be very useful.

5. In order to counteract the chronic datedness of small area statistics, a mid-decade mini-census is suggested, one designed to provide a quick socioeconomic profile of Hispanics and other groups within local areas of the United States, not provide an exhaustive and detailed description of the country.

Appendix I.B

Wisconsin Population
Computer Information System

Return Card

☐ I would like more information on WISPOP.

☐ I would like to receive the Wisconsin State Data Center's biannual news letter, "WSDC News."

☐ Please send me a current list of Applied Population Laboratory publications.

☐ I would like to receive information on upcoming conferences sponsored by the Applied Population Laboratory.

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Organization

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Applied Population Laboratory
Department of Rural Sociology
1450 Linden Drive
Madison, W[illegible] 706

WISPOP
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Computer Information
System

University of Wisconsin-Extension
Applied Population Laboratory
Department of Rural Sociology
1450 Linden Drive
Madison, WI 53706

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WISPOP

WISconsin POPulation Computer Information System

What is WISPOP?

WISPOP is an interactive population information system that puts the latest census data at your fingertips. It contains demographic and economic data for Wisconsin, including all counties, cities, villages, and towns. Because WISPOP combines much of the data you need in one source, it is an ideal tool for:

- Planning
- Marketing
- Research
- Needs Assessment

WISPOP was developed by the Applied Population Laboratory, Department of Rural Sociology, with support from University of Wisconsin-Extension.

How Does WISPOP Work?

WISPOP is part of a group of University of Wisconsin-Extension computer programs called WISPLAN which utilizes a computer in Madison. Using computer terminals in their offices, county Extension agents and other users can readily obtain the data requested.

To use WISPOP, call your county Extension office or the Applied Population Laboratory,(608)262-1515, and discuss your data needs.

What Kinds of Data Can I Get?

WISPOP currently contains over 40 tables of data for Wisconsin as a whole, and every county, city, village, and town. Users can also define their own geographic areas by combining counties, cities, villages or towns. This feature lets you create profiles for specific service or market territories.

Data currently available on WISPOP include information from the 1980 Census on:

- Population
- Housing
- Income and Poverty
- Labor Force

WISPOP provides tables with the actual census data and also calculates percent distributions.

New data from the 1980 Census and related sources are being added to WISPOP on a regular basis. WISPOP will soon include the following data, most of which will be updated annually.

- Personal Income by Source*
- County Business Patterns*
- Census of Retail Trade*
- Employment and Unemployment Data*
- Tax Data
- Annual Population Estimates
- Population Projections 1980 to 2010*
- Births and Deaths

* Available at county level only.

What Does WISPOP Cost?

The cost of using WISPOP is minimal and depends on the amount of information requested. It is much cheaper than using computer tapes which previously were the only source of much of the data now contained in WISPOP.

If you would like more information on WISPOP or other products and services of the Applied Population Laboratory, complete and return the attached card, or contact the Applied Population Laboratory, Department of Rural Sociology, 1450 Linden Drive, Madison, Wisconsin 53706, (608)262-1515.

Applied Population Lab

The Applied Population Laboratory is a unit of the Department of Rural Sociology, University of Wisconsin-Madison/Extension, and a coordinating agency of the Wisconsin State Data Center. The staff of the Applied Population Laboratory conducts programs of applied demographic research and analysis, provides consultation and educational services and disseminates population information through a wide range of demographic publications.

Appendix II

REPORT OF THE SUBCOMMITTEE ON EMPLOYMENT AND DISCRIMINATION*

Leobardo Estrada and Marta Tienda, Co-Convenors
Robert Bach, State University of New York at Binghamton
George Borjas, University of California at Santa Barbara
Carol Jusenius, National Commission for Employment Policy
Marc Rosenblum, U.S. Equal Employment Opportunity Commission

The State of Existing Research

Much of the empirical literature on discrimination analyzes the standard wage differential between two groups, usually blacks and whites, but also men and women. The main question guiding much of this research is: how much wage disparity between two groups can be attributed to discrimination? For Hispanics, the empirical evidence shows that most of the wage gap results from differences in human capital characteristics, particularly education, but also language proficiency and variations in health status.

Conducted in this way, existing research emphasizes the supply side of wage determination rather than demand factors. In other words, most research has focused on individual-level characteristics and how they structure workers' returns in the labor market, rather than on the characteristics of firms or labor markets which demand specific kinds of labor. To advance the study of wage discrimination beyond its current state, future research should address the demand factors that structure employment outcomes. Analysis should include study of the processes that produce specific labor market outcomes.

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*The Subcommittee meeting, held in collaboration with the Task Force on Economic Well-Being and Employment, took place in Washington, D.C., on March 30-31, 1983.

Research on demand factors should take into account labor market organization, since it influences individual outcomes--notably earnings and occupational attainment. One promising avenue for analyzing wage and occupation differentials, taking into consideration demand factors, is to focus on firms. Firm-level data (or detailed industry data) of particular relevance would include race of employer (meaning all individuals involved in management and personnel hiring), hiring practices, job requirements, and union membership. Unfortunately, most of the data bases used to analyze discrimination, particularly those that are national in scope, only contain information on worker characteristics, to the neglect of demand factors.

Although it is not yet clear exactly what kind of multi-level data base is needed to evaluate the constellation of supply and demand factors that produce income inequality, research which evaluates how demand factors influence discrimination, and identifies key firm characteristics that govern worker outcomes, should be explicitly encouraged.

Because much of the research on discrimination has focused on the outcome of the process, few empirical studies have been able to indicate whether discrimination is most severe in its effects at the time of labor market entry, or if it operates uniformly over the work career of incumbents of specific occupations. Researchers have yet to specify how ethnic and racial characteristics are evaluated in the labor market. Because a detailed analysis of differences in the distribution of Hispanics and non-Hispanics across jobs tell us little about the process of hiring, future researchers should conduct an analysis of job applicants and establish directly whether there is evidence of discrimination against Hispanics. Such study might be pursued most fruitfully at the level of the firm. Presumably the pursuit of firm-level studies or case studies will provide insights that have not been generated by these statistical approaches to discrimination.

An approach to the study of discrimination which has not been adequately pursued derives from legal complaints. Emphasis on legal suits provides an avenue for evaluating changes in discrimination, not only in terms of individuals discriminated against, but also in terms of the reason for alleged discrimination. Some pertinent information may be located in the legal files of the Equal Employment Opportunity Commission. However, the extent to which its files would be adequate for this purpose has not yet been determined. EEOC files should contain information about the race and ethnicity of the plaintiffs. For researchers to fruitfully analyze those data, some criteria must be derived to establish the existence of discrimination.

Theoretical Issues

The current literature on labor market outcomes has two major dimensions: one focuses on individual outcomes, another on the structural dimensions of markets. To make best use of the insights from both perspectives for research and policy, we urgently need to develop a theoretical framework that will enable researchers to link the evidence generated from studies of firms and studies of individuals, and to develop alternative theoretical approaches. General conceptual work which outlines the boundaries of labor markets and indicates how ethnicity interfaces with the operation of markets would greatly aid researchers who wish to understand patterns of diversity and inequality among specific ethnic groups, and to determine whether discrimination is present or not. Theories are needed concerning the processes and mechanisms that generate a consistent set of labor market outcomes that differentiate ehtnic and racial labor. Such theoretical development will aid studies focusing on labor market outcomes as well as on major structural transformations that lead to differentiation of workers. This leads to

Recommendation 1: To fund research seeking to integrate evidence from firm and individual-level studies, particularly that which clarifies the significance of ethnicity for labor market differentiation.

Individual Characteristics

Despite the preponderance of work on discrimination emphasizing the way individual characteristics operate to stratify and differentiate workers, several characteristics have not been sufficiently explored. These include health, age, and military participation, in addition to language, citizenship, physical characteristics and birthplace. Even though language and birthplace have been given more attention in recent writings on discrimination, some question remains as to what language represents in the labor market. Nor do we know whether citizenship and physical characteristics operate as does race in determining which workers are preferred and treated differently in the labor market. Height and weight data are not available in most large-scale national surveys.

Before such research can be pursued or encouraged, preliminary work documenting the potential importance of physical characteristics as sources of discrimination against Hispanics is required. Research is needed to determine whether retirement benefits are lower for Hispanics, and if so, whether this results from the nature of jobs in which Hispanics are concentrated, or from unequal access to benefits. This in turn has implications for the probability that Hispanics will remain in poverty once they are retired.

Finally, the payoff to Hispanics for having participated in the military is a relatively unresearched topic, and one with potential for illustrating the importance of premarket discrimination and vocational or technical training in opening job opportunities for Hispanics. If service in the military does not render the same return to Hispanics as to non-Hispanics when they enter the labor market, then this needs to be documented and policy recommendations formulated. Moreover, if participation in the military serves to direct Hispanics into technical rather than professional occupations, that process needs to be documented and considered in terms of the implications for the life-cycle labor market performance of veterans and nonveterans. These considerations lead to

Recommendation 2: To encourage and support research on the role of individual characteristics, such as military service, health status, physical characteristics, and retirement status, to deepen our understanding of the sources and consequences of premarket and postmarket discrimination.

Self-Employment and Ethnic Enclaves

Self-employment by Hispanics has scarcely been addressed in terms of its importance for labor market discrimination. Although the formation of enclaves has recently been discussed by a few researchers, the data used have been indirect of inferential. Future researchers need some guidance as to what constitutes an ethnic enclave, or an ethnic firm. Are they determined solely by the ethnicity of the employer, or by the ethnic composition of workers, or both? And, does employment in ethnic enclaves help Hispanics circumvent the negative impact of discrimination? Do ethnic firms serve ethnic clients, thus mitigating integration processes? What type of data is required to study ethnic enclaves and firms, and their implication for labor market integration processes? These unanswered questions lead to

Recommendation 3: To encourage and support research that will define the concept of an ethnic enclave, indicate the relevance of this aspect of market organization for worker outcomes, and propose methodologies permitting use of existing data in innovative ways.

Data Sources

Much of the research on labor market discrimination has been based on census-type surveys, particularly the decennial Public Use Micro-data Sample (PUMS) and the Current Population Surveys. Recent studies have also used the National Longitudinal Survey of a Cohort of Youth which disproportionately sampled Hispanics to allow separate analyses of the national origin groups. For the Youth Cohort of the NLS, the sample is sufficiently large to allow disaggregation by national origin; however, in the other four cohorts, this has not been the case. To make these data useful for analysis of the problems identified above, the Youth Cohort must age. As it stands, the Youth Cohort of the NLS which contains employer data cannot be used to address questions about the causes and consequences of discrimination of prime-age Hispanic workers.

A possible way to maximize existing data sets without incurring the expenses of a complete survey is to devise and fund a supplement to one of the Current Population Surveys or to one of the existing NLS data sets. The supplement would include data about characteristics of employers as well as some of the characteristics of the firms in which the respondents work. A model for this strategy exists in the Occupational Change in a Generation studies that were conducted in 1962 and 1973. Although this strategy for data collection would still be expensive, given the limitations encountered by current researchers in moving the study of discrimination beyond study of the standard wage, a one-time expenditure for an add-on to the CPS could be justified, as it would provide the opportunity to pursue aspects of labor market discrimination in ways that have not heretofore been possible. It would also represent a considerably lower cost than would be incurred for a complete survey. This leads to

Recommendation 4: To provide support for continued follow-up surveys of the NLS youth cohorts, especially those for which employer data are available, and to design a supplement to the CPS designed to generate data addressing specific questions about how firm and individual-level characteristics influence discrimination against Hispanics.

Appendix III

REPORT OF THE SUBCOMMITTEE ON IMMIGRATION*

Marta Tienda, Convenor
Frank Bonilla, Center for Puerto Rican Studies
Manuel Garcia y Griego, Colegio de Mexico
Robert Warren, Census Bureau and NAS Panel on Immigration Studies

Puerto Rican Migration

The movement of Puerto Ricans from the island to the mainland is, technically, a form of internal migration rather than international migration, but has many of the characteristics of the latter. The study of Puerto Rican migrants has long been clouded by this fundamental ambivalence; Puerto Rico is treated for some purposes as a foreign country (e.g., in tracking the movements of capital and commodities) and in other respects is treated as an integral part of the United States. This ambiguity has particular significance for data collection; no individual records are kept on entries and exits, and airline passenger traffic is sufficiently heavy to make utilization of traffic data an inadequate form of estimating net flows between the island and the United States.

The 1980 Census and special studies in New York and Puerto Rico have revealed a marked increase both in the volume and the patterns of movement by Puerto Ricans: substantial members are leaving the island for the mainland, returning from mainland to island, and dispersing across the United States. The latter movement involves migration from the traditional settlement area of New York to neighboring states -- New Jersey, Connecticut, Massachusetts, Pennsylvania -- and to sites as scattered as Texas, Florida, Illinois, and Hawaii.

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*The Subcommittee met in Madison, Wisconsin, on April 29, 1983.

In sum, Puerto Ricans appear to be involved in a fairly extensive circulation flow whose significance has yet to be evaluated. What is evident, however, is that there has been little or no advance in the socioeconomic status of this group, in spite of their participation in extensive geographic movement that presumably is largely motivated by economic factors. Therefore, we need a better understanding of the differentials in Puerto Rican status indicators, and the role of migration in either enhancing or diminishing them. We need to know where Puerto Ricans are moving and why; what happens to them after arrival, and their regional placement in the U.S. workforce. In many of the areas into which they are now moving, such as Southern California, Texas, and Florida, there are researchers who have already done baseline work documenting regional conditions and forces operating to enhance or diminish the socioeconomic status of other Hispanic groups.

Recommendation 1: That a series of selected regional studies of Puerto Ricans in the workforce be conducted, in collaboration with researchers familiar with the conditions of Hispanics in those regions.

To permit us to link socioeconomic outcomes with geographical movement, researchers need migration histories over a period of time, minimally ten years and probably at least two generations.

Recommendation 2: That surveys be conducted simultaneously at a number of sites on both mainland and island to collect migration histories of a stratified sample of Puerto Ricans, preferably over the period 1970 to 1980, which would permit linkage of Census data with those histories.

Proposals to Legalize the Status of Illegal Aliens

Evaluation of the proposal to grant illegal aliens legal status if they meet certain criteria -- such as length of stay in the U.S., admissibility as an immigrant, etc. -- requires specific information about the stock of "undocumented" (illegal) immigrants. Proponents of such a policy have raised many questions about this contemplated policy change. How many would qualify for legalization under the various criteria? What would legalization cost the federal, state, and local governments? What kind of documentation would be deemed proof of qualification under the different criteria? What proportion of illegal aliens can be expected to legalize their status without the proposed change -- that is, what proportion of those who have applied for visas in the past were already here illegally?

It has been suggested that if employers were subjected to legislative sanctions for hiring undocumented workers, the size of the illegal immigrant population would diminish rapidly. To test the assumptions that (1) search for employment is the major reason for illegal entry, and (2) employer sanctions would have their anticipated effect, labor market impact studies would have to be conducted through construction of an empirical model of employer-employee relations.

The Immigration and Naturalization Service has on hand unpublished data that could be used to address these questions partly if not completely. Its "Record of Deportable Alien Located" (Form I 213) lists such information as country of origin, length of stay here, date and place located, sex, and age. Those records, which are presently stored temporarily and then discarded, could be utilized for research purposes.

Of related utility would be an analysis of the data on naturalizations cross-classified by year of entry to the United States. The analysis would combine the type of data presented in Table 44 to the INS Annual Reports with data on the entry of cohorts of aliens. The study would produce rates of naturalization, by country of origin, for cohorts of immigrants and refugees. Preliminary work indicates that nearly 20 percent of the European immigrants who entered the United States in 1963 had become citizens as of 1971. For the cohort of North American immigrants who entered during 1963, only 7 percent had become citizens in 1971. An examination of cohort naturalization rates for different areas of origin could lead to further research to determine why some groups, especially Hispanics, are considerably less likely to become U.S. citizens than immigrants from other areas of the world. It was suggested that there might be a relationship between rates of naturalization and immigration.

Recommendation 3: That a project be instituted to code and sample unpublished information in INS records on deportable aliens, as well as additional information about immigrants and refugees who become citizens.

Other research related to the legalization program concerns not existing data but the need to compile new data. Ideally, if researchers could identify a sample of undocumented aliens before legalization, and then follow those individuals through the legalization period to determine who does and does not come forward, we could learn much more about the character of illegal immigration and determine, even as the process of legalization continues, why some persons are reluctant to come forward.

Proposal to Alter Quota Limitations on Legal Immigration

Evaluation of current proposals to raise or lower the number of legal entrants requires analysis of current "visa backlogs" to determine how they have been created. That analysis involves such questions as: How many applications are now on file, by country of origin, preference category, and year? How many applicants have been granted visas, and how many are still active, by various dates? From this we could learn whether increasing existing annual country and worldwide limitations would significantly reduce the backlogs. It would also shed light on anticipated results of enactment of the proposal to include within the quotas those who are presently exempt from numerical limitation. If a large number of immigrants entering from a particular country as exempt relatives are included under that country's quota, an equally large number of other preference category applicants will obviously be denied entry.

Recommendation 4: That an empirical simulation model be constructed to analyze present and past visa applications for the purpose of evaluating changes in immigration quotas by country of origin and preference category.

The question of visa backlogs and the reasons for their buildup led into discussion of "push-pull" factors as they affect immigration.

Effect on Immigration of Economic Change in Source and Receiving Countries

Assertions have been made that specific economic events raise or lower the numbers of legal and illegal immigrants -- that the recession in the United States has reduced immigration, and its end can be expected to raise the immigrant flow; that the financial crisis in Mexico has significantly increased the size of the undocumented alien population in the United States. Appropriate research questions take this form: To what extent do changes in the economy of the United States and Mexico influence changes in the magnitude of legal and illegal migration -- gross, net, and return flows? How has the age and occupation composition of the immigrant population, geographic concentration, and length of stay been affected by structural changes in the economy of Mexico and the U.S.? With appropriate theoretical development, existing data sets can provide some of the answers.

Recommendation 5: That a project be undertaken to relate indicators which characterize the U.S. and Mexican economic climate with (1) number and date of visa applications, and (2) INS information on apprehension of deportables at the border, adjusted for seasonal differences.

Methodologies for Measuring the Illegal Alien Population

As is apparent from the points of discussion listed above, the size and characteristics of the illegal immigrant population have important bearing on public policy governing immigration, employment, public assistance, and education. Methodological deficiencies that influence empirical estimates include problems of comparability (e.g., seasonality) and conceptual definitions of a population (e.g., to enter the Census data, an individual must be "habitually resident" in the U.S., but to enter INS data, the person must only be "present").

Because methodolgies to estimate the size of the illegal population are still in their infancy, there is an urgent need to develop innovative research strategies to derive reliable estimates of undocumented migration.

Recommendation 6: That research proposing to generate independent estimates of illegal immigration and innovative estimation procedures be supported.

Return Migration

We need better data not only on the number of Puerto Ricans who return to the island, but also on the number of legal and illegal immigrants who return to their home countries. Outmigration from the United States has many and obvious practical implications, yet we do not have reliable data on the size and character of the return migrant population. The few studies that have been done indicate that alien emigration from the United States exceeds 100,000 each year. Survey techniques such as the one being tested to estimate emigration from Barbados would help fill the gap. This survey information could be obtained by asking mothers currently in the United States how many children they have outside the U.S. borders. Simultaneous surveys in Mexico and Puerto Rico would tell us a great deal about return migration.

Data on the Experience of Immigrants in the United States

High priority should be given to collection of data that will better inform us about what happens to immigrants after they arrive. Are Asian refugees advancing faster in socioeconomic status than other incoming groups? Congress mandated an annual survey of Asian refugees, but there are many unanswered questions about how refugees compare to other groups in terms of their rate of progress. Except for descriptive and impressionistic accounts, we know much less about the Cuban immigration cohort of 1980, the "Marielitos", than Asian refugees. What were their background characteristics and motives for coming here? What has happened to them since then, and why? What are the characteristics of those immigrating from Central America and the Caribbean? Recommendations of several sorts stem from these questions.

Recommendation 7: That a series of local impact studies be commissioned to address the effect of immigration and arrival of refugees on the societies and economies of specific areas in the United States. First priority areas are Southern California and the metropolitan regions of New York City, Chicago and Miami. Second priority areas are the Washington metropolitan area and specific parts of Texas, especially Houston and the Rio Grande Valley.

Recommendation 8: That a longitudinal study of a cohort of immigrants and refugees be instituted. The study would cover such aspects as education, health care, mortality, internal migration, and return migration, and would include refugees, "entrants", and other categories of immigrants.

Making Use of Existing Data

Because of the costliness of primary data collection, all agreed that priority must be placed on making use of existing data through innovative research strategies. Other suggestions for utilizing information now available included circulating a questionnaire to current researchers of Hispanic concerns to find out what surveys have been conducted, what other types of studies have been performed, and what particular research problems remain. The 1980 Census might be used to provide more information on the undocumented immigrants from Mexico through tabulation of detailed data (children, residence, occupation, etc.) on Mexican-born men aged 15-30 who entered the United States from 1975 to 1980. Census Bureau estimates indicate that 80% of that population are illegal immigrants. Additional ways of validating this estimate should be encouraged.

Appendix IV

REPORT OF THE SUBCOMMITTEE ON EDUCATION*

Marta Tienda, Convenor
Carlos Arce, Institute for Social Research,
University of Michigan
Roberto Fernandez, University of Chicago
Eugene Garcia, Arizona State University
Isaura Santiago, Teachers College,
Columbia University

Educational Transitions: The Importance of Student versus School Characteristics

We must enlarge our understanding of the process of educational attainment--promotion, demotion, delay in grade, dropout, graduation--among the different Hispanic subgroups. What accounts for the failure of Hispanic students, Chicanos and Puerto Ricans in particular, to complete higher levels of schooling? What role is played by poverty, discrimination, migration and mobility, limited English proficiency?

The data available to deal with these questions include published and microdata census tapes (including CPS); such survey data as High School and Beyond, whose 1980 baseline permits cross-sectional analysis now and the promise of longitudinal studies later; and state administrative data. The state school systems currently are collecting a wealth of information because of the move toward decentralization. To justify their need for bilingual education funds and compensatory program financing, the states maintain detailed records, but these vary in their reliability. The *main* data problem is to validate state-collected administrative data about schools and students by comparing them with Census information which, owing to inclusion of the 100% identifier of Hispanic ethnicity, should yield fairly reliable results. This type of validation can be accomplished by collecting school data by zip code, thus permitting direct comparison with Census information. Given the naturally hierarchical nature of school data--state, county, district, school, classroom--such data could prove especially useful for showing how the placement of students in the educational hierarchy structures their performance, as reflected by indicators of completion levels, school delay, and dropout. These conventional performance measures could then be related to such system characteristics as expenditure per child, physical resources, program diversity, and ethnic composition.

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*The Subcommittee met in Ann Arbor, Michigan, on May 7, 1983.

Recommendation 1: That a pilot project be established to demonstrate the feasibility of merging survey and Census data with state-level administrative data to address questions about how individual performance depends on school system features.

Falling Behind and Dropping Out

A fundamental problem affecting the education and attainment of Hispanics is their high dropout rate. Research should be guided toward finding out if dropouts have different characteristics from those remaining in school, and if the schools with high dropout rates have different characteristics from those with lower rates. Researchers could then determine how the two sets of information are related, and arrive at firmer conclusions about the nature of the problem and policies needed to alleviate it.

Discussants generally felt that this area of research should not be confined to high school students because dropping out, or being pushed out, is only a part of the entire educational experience, which also affects probabilities of continuation to college and graduate school. These outcomes are related to a variety of socioeconomic factors beyond individual control, and they have yet to be demonstrated empirically.

An obvious factor affecting dropout rates is the local situation. Greater employment opportunities for youth in the Southwest (affecting Chicano students) relative to New York (affecting Puerto Rican students) or Detroit (affecting various Hispanic subgroups) mean that there are greater returns to dropping out in particular regions. Those greater returns may fade, however, with age and we need to learn more about the effects over the life cycle of having ended schooling before high school graduation.

Changes in residence--either temporary or permanent--by Hispanic students may be a particular cause of school delay. Geographic mobility in general, and school discontinuity in particular, translated through the mechanism of school delay in the early grades, are important determinants of school achievement for Hispanics. The lack of longitudinal data on the educational progress of pupils in the lower grades is a significant data need. We need to know why mobility occurs and to what extent it is caused by health problems, employment-related changes, housing, and family break-up. Micro studies are required to help answer those questions.

The data sets available to investigate the various questions on the lifetime experience of dropouts include High School and Beyond, a survey that contains a good deal of information about high school retention, and the National Longitudinal Survey Youth Cohort, for which we now have data at three points in time--1979, 1980, 1982. These must be allowed to age before we can address questions about labor market experiences of Hispanic dropouts. Census data from 1970 and 1980 could be analyzed to construct synthetic cohorts and derive changing school completion rates over time among 10-year birth cohorts.

Recommendation 2: To encourage research designed to document and compare the labor market experiences of Hispanic school dropouts and school completers by using creative research methodologies based on existing data sets.

School Curricula and Characteristics of Teachers

We must go beyond the familiar areas of language proficiency and bilingual education to examine the general content of Hispanic education. What are students learning? What are the schools with high concentrations of Hispanic students teaching? What are the outcomes, in terms of future education and occupations of those students? An important data set that can help us answer these questions is the National Assessment of Educational Progress, which contains information on math curricula, science curricula, the school context, instructional programs, etc. This is a national data set, and it is important to encourage the states to collect the same sorts of information to enlarge our understanding of the educational experience of Hispanics. Another data set that will prove helpful in this area is High School and Beyond, whose detailed transcript information will soon be available.

In addition to information about the schools and what they are teaching, we need to know more about Hispanic teachers. Is there tracking of those teachers, in the sense that they are crowded into bilingual education programs and not allocated proportionately in the disciplines of math, science, social studies, and literature? A New York study, for example, indicated that 87% of the bilingual education teachers there had M.A. degrees, marking a much higher degree of proficiency among this group of teachers than the state average.

It would be possible to use 1980 Census data for research in this area. The Public Use Microdata tape on occupational classification provides information about elementary, secondary, university and "other" teachers, and the industry classifications will tell us which of these teachers are in the public versus private sectors.

Recommendation 3: To encourage research which attempts to relate the educational experiences of Hispanics to the nature of their school curricula and the characteristics of their teachers.

Immigration and Education

The relationship of immigrant status to schooling and achievement takes on special importance for Hispanics because of their relatively greater numbers in the immigrant population. What is the effect of "ghettoization" of immigrants in terms of the educational experiences of their offspring? Is there validity to the "selection argument"--that immigrants are a more motivated, self-selected group, who consequently achieve more in schools than non-immigrants? What happens to the educational levels of immigrants over time? Do subsequent generations gain more, or less, education than their parents? Do those who continue to speak Spanish at home do better or worse in school than do English speakers?

The High School and Beyond survey contains valuable information to address these questions, but at this point it is only a baseline model permitting cross-sectional analysis, not longitudinal study. We must guard it and similar data sets--such as the NLS Youth Cohort--to ensure that the necessary information they contain will continue to be collected over time for the purpose of future research. In the meantime, researchers should take advantage of existing data to illustrate these questions using innovative methodologies.

Recommendation 4: That the parentage item be included in the 1990 Census to permit analyses of generational changes in the educational achievements of Hispanic immigrants.

Higher Education

The heterogeneity of Hispanics becomes an especially important issue for research involving higher education, because at this level the numbers of individuals enrolled in or having completed college are smaller. There is still a need to disaggregate statistics on college graduates, Ph.D.'s, and faculty members because at those levels there is more differentiation among the Hispanic nationality groups, but less accurate counting of them. Without a breakdown of the data by national origin, we cannot tell whether there is any real advance for Chicanos and Puerto Ricans--the groups with lowest achievements--because the Central and

South American groups represent an entirely different socioeconomic class. The immediate need, therefore, is to collect disaggregated data on Hispanics in higher education.

The available data sets for such research include university reports, the study by the National Research Council based on a follow-up sample of doctorate degree recipients, and ETS data on Graduate Record Examination test scores. Testing data such as the Scholastic Aptitude Test and the College Achievement Tests, as well as GRE scores, provide a wealth of information to be mined.

Recommendation 5: That researchers be commissioned to produce a public use tape from testing data, with confidentiality preserved in the same way as in Census public use tapes.

We also need to combine school-level data with information from university records, to find out more about schooling outcomes after high school graduation. We need data on the quality of instruction given to Hispanics in higher education. Do they disproportionately attend lower-level schools, particularly community colleges? What proportion of Hispanics in comparison with other ethnic groups enter the top fields at top universities? What is their college completion rate? The collection of new data, rather than use of existing bases, is required to answer such questions.

Appendix V

REPORT OF THE SUBCOMMITTEE ON HEALTH AND VITAL STATISTICS*

Rumaldo Juarez, Convenor

National Subcommittee:
Maria Corona, City Clerk, Edinburg, Texas
Aida Giachello, University of Chicago
David Hayes-Bautista, School of Public Health, University of California, Berkeley
Marco Montoya, U.S. Public Health Service
Fernando Treviño, National Center for Health Statistics
Alvan Zarate, National Center for Health Statistics

Local Area Subcommittee:
Ramona Bryan, County Clerk's Office
Lidiana Corona, County Registrar
Maria Corona, City Clerk
Marlene Garza, Medical Records Section, Edinburg General Hospital
Sam Gonzales, Mortician
Maria de los Angeles Piñeda, Midwife
Ramona Tagle, City Registrar
Dee Treviño, Hospital Registrar

The purpose of these subcommittee meetings was to obtain a variety of perspectives about the problems in vital and health statistics of Hispanics and to develop recommendations about vital and health statistical policies and research needs among the Hispanic population. The participants in these meetings represent a number of important perspectives for addressing this subject. Among the perspectives are geographic (e.g., U.S.-Mexican border, West Coast, Midwest), occupational (e.g., vital statistics recorder, midwife, funeral director, health seminar researcher, federal health agency director, etc.), governmental (e.g., city , county, national), and Hispanic ethnic subpopulations (e.g., Puerto Rican, Mexican American, and Central or South American).

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*The Local Area Subcommittee met on February 19, 1983, in Edinburg, Texas. The National Subcommittee met in Washington, D.C., on April 9, 1983; on the preceding day, June 8, three members of the Subcommittee (Juarez, Corona, and Treviño), met in Hyattsville, Maryland, with representatives of the U.S. Public Health Service, National Center for Heatlh Statistics, Division of Vital Statistics.

Local Perspective and Issues

Among the topics considered were training of registrars in comparison to the importance of their responsibilities; accuracy of reporting ethnicity in the birth and death certificates and the procedural items from which inconsistencies stem; and the reporting problems unique to the U.S.-Mexican border communities.

Formal Training of Registrars

The three registrars noted that little or no training was afforded by the respective entities. The Texas Department of Health provides annual conferences in Austin, Texas; however, not all registrars have an opportunity to attend. Consequently, the guidelines and directives issued by the State Department of Health are not always followed. The registrars represented expressed concern that little time is afforded to setting up and/or reviewing policies and regulations because of their overload in other duties.

The County Registrar's Office is considered vital to the respective counties. However, municipalities seem to have other priorities, depriving this office of the needed status and funding to accomplish its objectives. As a result, most vital statistics records are found in outdated form and poor condition.

Recommendation 1: To conduct a needs assessment study to determine in-service training requirements for local and state registrars.

A comprehensive training program needs to be developed for all persons involved in filling out vital records. This includes such persons as local community records clerks, nurses, funeral directors, doctors, midwives, etc. Although the states are responsible for training local and state registrars, there are serious training gaps. Besides, the training needs go well beyond training registrars on a one-time basis. Continuing education courses need to be available for persons who have been on the job for a while and have not kept up with recent developments in vital records. Besides, the turnover rate among registrars at the local level is so great that the states cannot keep up with the needs for training. Also needed is an aggressive advocacy program of registration that stresses the need for accurate recording of vital records information, e.g., an advertising campaign aimed at hospitals, prenatal clinics, and funeral directors.

Accuracy and Coverage of Ethnic Data

According to the instructions from the Texas Department of Health, Bureau of Vital Statistics, registrars and directors of hospital medical records process the race/ethnic item in the birth and death certificate in the following manner. On race, Mexican Americans are considered white. But for the Spanish item the response is not always uniform, and depends largely on the person completing the record. For example, item 8a on the Texas birth certificate (see Appendix V.A) asks whether the father is of Spanish origin. Some registrars enter "Mexican" if the person is from Mexico, others leave it blank. Item 8b on the certificate asks whether a person is "Mexican, Cuban, Puerto Rican, etc." Some respondents are offended by the question and respond that they are "American," or answer "no" to the question. Similar problems apply to the death certificate.

The procedures for reporting vital records information from the local area to the state appear to be well defined. However, serious problems exist in reporting/recording procedures at the local and county levels of government. Some counties require that all reporting entities (e.g., city, municipality, etc.) be sent to the county clerk's office, but others do not. Also, at the local level, there seems to be some confusion at times concerning where the events should be recorded, especially when geographic boundaries are not well defined.

For death certificates, records of the justice of the peace have caused problems. Citizens who file certificates with J.P.'s usually have to resort to the State Department of Health for copies. At times these death certificates are not even recorded by the justice of the peace, but instead are found stored with other county records. Death certificates are filled in as "natural death" by the J.P.'s when they have no idea what the cause of death was, and consequently this item is not accurately recorded.

Deaths of U.S. citizens which occur in Mexico, followed by transferral of the body to the United States for burial, should also be recorded in the city in which they are to be buried, in addition to the usual practice of recording these deaths with the respective consulate.

Although there are very few known cases of "shoebox" burials, the registrars presently suspect a substantial underreporting of infant deaths among Hispanics. In addition, a number of babies born to Mexican mothers in the United States return to Mexico with their mothers. If the infant dies in Mexico, the result is a deflated infant mortality rate in the United States, and an inflated one in Mexico.

Recommendation 2: To conduct a data-quality evaluation to assess the validity and reliability of the vital records being used in the states, particularly those along the U.S.-Mexican border. Particular attention should be placed on the race/ethnic origin items and on the procudures used to obtain this information.

Reporting Problems Unique to the U.S.-Mexican Border Communities

Cities directly adjacent to Mexico have continuous difficulties with registering births by midwives. Mexican citizens cross into these cities to bear their children in the United States. Reporting by midwives varies from accurate reports by excellent and responsible midwives to those who leave the registering up to the parents, with no followup. Registrars need a uniform policy that requires midwives to register births. To accomplish this, an effort has to be made to educate and license midwives in the state.

Among the U.S.-Mexican border communities, efforts should be made to establish an exchange system of vital records similar to the one that currently exists between the United States and Canada. The primary objective of such a program would be to develop and foster communication links between vital records personnel in the United States and Mexico. Such an effort would be particularly helpful in alleviating the problems of inflated infant mortality in Mexican border communities and deflated infant mortality rates in U.S. border communities.

Recommendation 3: To conduct an evaluation of statistical reporting problems along the U.S.-Mexican border to determine the extent of over- and underreporting of births and deaths, the nature of records exchange, and the extent of record fraudulency.

National Perspective and Issues

Discussion centered around four major areas of concern in vital statistics: (1) extent of reporting, (2) accuracy of recording and reporting statistics, (3) ethnic-origin questions in vital records, and (4) recommendations for addressing these problems.

To date, 22 states report Spanish-origin births and 20 report Spanish-origin deaths (New York City reports both). These states are:

Arizona
Arkansas
California
Colorado
District of Columbia
  (birth only)
Florida
  (birth only)
Georgia
Hawaii
Illinois
Indiana
Kansas
Maine
Mississippi
New Mexico
New York
New Jersey
North Dakota
Ohio
Tennessee
Texas
Utah
Wyoming

The National Center for Health Statistics estimates that these states cover approximately 90 percent of all Hispanics on births and 80 percent on deaths. Although the District of Columbia and Florida collect Hispanic-origin information on births, they do not do so on the death certificate. In addition, there are a number of states with significant Hispanic populations that should also be encouraged to collect ethnic-origin information in their vital records. They are Michigan, Wisconsin, Louisiana, Connecticut, and Washington.

Even though there are currently 22 states reporting Hispanic vital statistics covering more than four-fifths of Hispanic vital events, it does not necessarily follow that all of these states actually report accurate data. For example, California's ethnic-origin identifier in the vital records is an optional item; subjects may or may not respond to it. The NCHS estimates that as many as 30 percent of deaths and 15 percent of births are not properly identified by ethnicity.

Another reporting problem appears to exist in New Mexico, where the working of the ethnic-origin item is such that it contributes to underreporting. In the state of Texas, the ethnic-origin item is also inappropriately worded, so that the question asks the person if they are "Mexican, Cuban, Puerto Rican, etc." Residents of Texas, particularly in border communities, distinguish between being Mexican and Mexican American. Thus, persons asked if they are Mexican who identify as Mexican Americans are likely to respond negatively.

Further complicating the inaccuracy of reporting are outright subject refusals to complete the ethnic/racial origin question, careless administration of vital records, and poorly trained personnel who have direct contact with vital records. In the final analysis it is of limited value to have 22 states reporting Hispanic data that are statistically inaccurate. While the National Center for Health Statistics has intentions of reporting national vital statistics for Hispanics, it is severely handicapped in doing so by the poor accuracy of reporting from the state and local levels.

Given the state of affairs, we propose:

Recommendation 4: To fund research demonstrating the importance of reporting Hispanic ethnicity on all vital statistics records, and to undertake research to demonstrate ways of improving the accuracy of reporting. As illustrations, we propose the following:

a. A study that matches a list of Spanish surnames produced by the U.S. Bureau of the Census with surnames in the various birth and death certificates. Despite the weakness of this method, some improvement can be made in assessing birth and death rates for Hispanics, particularly in the Southwestern states.

b. An evaluation study that examines the efficiency of the various ethnic/social origin items in vital records. The purpose of this study should be a comparison of persons who respond affirmatively to the ethnic questions with persons who "appear" Hispanic but refuse to be identified as Hispanics.

c. A statistical analysis of misclassified cases for developing estimates of errors in misclassification. These estimates could then be used for adjusting birth and death rates.

Health Statistics

Since the 1970s, some progress has been made in the collection of Hispanic vital and health statistics. For example, limited data are available from the following nonexhaustive list of surveys:

1. 1976 Survey of Income and Eduation
2. Survey of Income and Program Participation
3. UCLA Latino Mental Health Program
4. U.S. Department of Agriculture Food Consumption Study

5. Center for Disease Control Border-States Study on Cigarette Smoking
6. University of Chicago Center for Health Statistics:
   - Health Interview Survey
   - Health and Nutrition Examination Survey (Hispanic HANES)
   - National Survey of Family Growth

Although Hispanic health data collected by these surveys are "technically" available, dissemination, accessibility, and quality are variable. Data, especially those collected at the national level, usually do not become available for public use until several years after collection. Further compounding the access problem is that national surveys which have collected Hispanic data do not publish results as frequently and as extensively as is done for the white and black populations.

A similar problem prevails at the state level. For example, while some states are using ethnic identifiers in their records, they do not report the statistics. Complaints are often made by states about the lack of demand for Hispanic vital and health statistics from either the Hispanic community, or health researchers and community health planners. On the other hand, the Hispanic community is in great need of health data at the local level for purposes of planning and addressing health needs.

These problems of access to information stem from a severe lack of coordination among users and providers of Hispanic health data from various levels of government. In addition, there is a serious lack of financial incentives for generating research agendas about Hispanic health concerns. This suggests

Recommendation 5: To create an Hispanic Health Data Clearinghouse consisting of several regional centers located in regions heavily populated by Hispanics.

This clearinghouse could by administered by an executive council composed of diverse Hispanic subgroups. Major areas of emphasis of the clearinghouse could be development of comparable health data systems, dissemination of data, aggregation of vital statistics from states collecting them, encouraging and facilitating research and policy activities, publication of health research results, and serving as a community resource for local health planners. These regional centers could also serve as peer reviewers of health research and policy proposals submitted to the foundations and government agencies. Still another vital function that these centers could serve is one of Hispanic health data advocate, i.e., encouraging and assisting states to publish Hispanic health data by working with state legislators, state health departments, and the National Center for Health Statistics.

Despite the limited Hispanic data sets available during the 1970s, some Hispanic health research has been done. Among problems investigated were (1) insurance coverage, (2) services utilization patterns, (3) physical health status, (4) the role of ethnicity and social class in determining health status, (5) health education, (6) health subculture, etc. While these studies barely scratched the surface of Hispanic health research, they served a critical role in uncovering the many deficiencies and limitations of Hispanic health data. In addition, they raised more questions about the health of Hispanics than the existing data sets could answer. Still ahead for Hispanic health research are such topics as:

1. Socioeconomic-cultural profiles of users and nonusers of health facilities
2. Research on the health needs of high-risk groups such as infants, youth, elderly, etc.
3. Sources of health care
4. Traditional/folk health care practices
5. Family and self-medication health practices
6. Health finances and medical expenditures
7. U.S.-Mexican border health problems
8. Health practices, health maintenance, and prevention of illness
9. Compliance with health regimens
10. Evaluation research of medical service impacts
11. Health rehabilitation and retardation
12. Death and dying
13. Dental health status
14. The impact of Reaganomics and the block grant system on the health of Hispanics

These are but a few of numerous topics that still remain to be thoroughly researched, but they cannot be addressed without the necessary data and financial resources to do so. The committee felt that the priority of research topics should be determined by a national panel of Hispanic experts, as specified in Recommendation 6 below.

Numerous other data gaps persist in Hispanic health and vital statistics research. Foremost is the failure of different levels of government to recognize subcultural differences within the Hispanic population. Of even more serious nature is the failure of the federal government to collect and report information about the Hispanic population, especially in surveys and programs that are national in scope. When Hispanic data are collected, a number of the surveys suffer from a lack of standardization of ethnic identity terminology. For example, some surveys may only ask if a subject is "Hispanic." Others ask if the subject is "white" and then follow it up with another question asking if they are of "Hispanic origin" or "non-Hispanic." Still others ask if the person is of "Spanish origin" and if so, whether they are "Mexican, Puerto Rican, Cuban, etc." (see Appendix V.B).

In all fairness to the federal government, it has tried to address some of these problems by passing Public Law 94-311 (June 16, 1976). Since the passage of this law, some progress in collecting and reporting Hispanic data has been made. However, a cursory examination of what few health data exist on Hispanics clearly indicates that much remains to be done.

One recent health data collection activity of the National Center for Health Statistics is the Hispanic Health and Nutrition Examination Survey (Hispanic HANES). This is a survey of 12,000 Mexican American, Puerto Rican, and Cuban persons from various regions in the United States. Undoubtedly, this is the most valuable health and nutrition data set about Hispanics collected to date. Data from this survey are expected to become available in December 1984. Great concern is already surfacing among the Hispanic health research community that Hispanics will not be involved in the analysis of data and that there are reduced resources to conduct the needed analyses. However, with proper planning and support both of these fears can be alleviated. This leads to

Recommendation 6: To organize a national workshop for Hispanic health services researchers for the purpose of developing a research agenda and data dissemination plan for the Hispanic Health and Nutrition Examination Survey data. Hispanics should play a major role in the planning of this workshop.

Another major gap in Hispanic health research is that concerning U.S.-Mexican border health issues. In the late 1970s there was much talk about a federal U.S.-Mexican Border Health Initiative. When the new administration took office in 1980, what few efforts had resulted from this initiative were discarded. To date, there still remains a large gap in this area and no single entity has been insightful enough to invest in addressing the serious health problems that exist along the U.S.-Mexican border. Health policy areas that need to be investigated are those concerned with health care problems of the undocumented population as well as health services used by this population and the financing problems that accompany them. Also desperately needed is a forum for enhancing and institutionalizing binational interactions and agreements among high-level federal, state, and local health officials. This forum could greatly contribute to better U.S.-Mexican international understanding of and redress for health problems of mutual interest. Accordingly, we propose

Recommendation 7: To develop a U.S.-Mexican Border Health Initiative with two goals. One is to foster research activities that address critical health problems of the border communities. The other is to create a standing binational commission composed of federal, state, and local border community health officials to address health problems of mutual concern. The activities of this commission would go well beyond those conducted by the Pan American Health Organization.

Appendix V.A.

Copies of Documents Currently in Use

Texas Department of Health — BUREAU OF VITAL STATISTICS

STATE OF TEXAS

CERTIFICATE OF DEATH

STATE FILE NO.

1. NAME OF DECEASED (Type or print) (a) First (b) Middle (c) Last

2. SEX

3. DATE OF DEATH

4. RACE

5a. WAS THE DECEDENT OF SPANISH ORIGIN?

5b. IF YES, SPECIFY MEXICAN, CUBAN, PUERTO RICAN, ETC.

6. DATE OF BIRTH

7. AGE (In years last birthday)

IF UNDER 1 YEAR: Months / Days

IF UNDER 24 HRS: Hours / Minutes

8a. PLACE OF DEATH — COUNTY

8b. CITY OR TOWN (If outside city limits, give precinct no.)

8c. NAME OF (If not in hospital, give street address) HOSPITAL OR INSTITUTION

8d. INSIDE CITY LIMITS?

9. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify)

10. BIRTHPLACE (State or foreign country)

11. CITIZEN OF WHAT COUNTRY?

12. WAS DECEDENT EVER IN U.S. ARMED FORCES?

13. SURVIVING SPOUSE (If wife, give maiden name)

14. SOCIAL SECURITY No.

15a. USUAL OCCUPATION (Give kind of work done during most of working life, even if retired)

15b. KIND OF BUSINESS OR INDUSTRY

16a. RESIDENCE — STATE

16b. COUNTY

16c. CITY OR TOWN (If outside city limits, show [illegible])

16d. STREET ADDRESS (If rural, give location)

16e. INSIDE CITY LIMITS?

17. FATHER'S NAME

18. MOTHER'S MAIDEN NAME

19. SIGNATURE OF INFORMANT

CAUSE OF DEATH

20. PART I

IMMEDIATE CAUSE (Enter only one cause per line for (a), (b) and (c).)

(a)

Conditions, if any, which gave rise to immediate cause (a), stating the underlying cause last.

DUE TO, OR AS A CONSEQUENCE OF

(b)

DUE TO, OR AS A CONSEQUENCE OF

(c)

Interval between onset and death

Interval between onset and death

Interval between onset and death

PART II

OTHER SIGNIFICANT CONDITIONS — CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN PART I(a)

21. AUTOPSY

22a. ACC., SUICIDE, HOM., UNDET. OR PENDING INVEST. (Specify)

22b. DATE OF INJURY (Mo., Day, Yr.)

22c. HOUR OF INJURY M

22d. DESCRIBE HOW INJURY OCCURRED

22e. INJURY AT WORK (Specify yes or no)

22f. PLACE OF INJURY — At home, farm, street, factory, office building, etc. (Specify)

22g. LOCATION STREET OR R.F.D. No. CITY OR TOWN STATE

CERTIFIER

To be completed by CERTIFYING PHYSICIAN only

23a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature and Title)

23b. DATE SIGNED (Mo., Day, Yr.)

23c. HOUR OF DEATH M

23d. NAME OF ATTENDING PHYSICIAN (Type or print)

To be completed by MEDICAL EXAMINER or CORONER only

24a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. (Signature and Title)

24b. DATE SIGNED (Mo., Day, Yr.)

24c. HOUR OF DEATH M

24d. PRONOUNCED DEAD (Mo., Day, Year)

24e. PRONOUNCED DEAD (Hour) AT M

25a. BURIAL, CREMATION, REMOVAL (Specify)

25b. DATE

25c. NAME OF CEMETERY OR CREMATORY

25d. LOCATION (City, town, or county)

26. SIGNATURE OF FUNERAL DIRECTOR OR [illegible]

27a. REGISTRAR'S FILE NO.

27b. DATE REC'D BY LOCAL REGISTRAR

27c. SIGNATURE OF LOCAL REGISTRAR

VS-112, REV. 1/80

copy

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copy

BEST COPY AVAILABLE

Texas Department of Health — BUREAU OF VITAL STATISTICS

STATE OF TEXAS

CERTIFICATE OF BIRTH

BIRTH NO

CHILD

1. NAME (Type or print) (a) First (b) Middle (c) Last

2. DATE OF BIRTH

3. SEX

4a. PLACE OF BIRTH — COUNTY

4b. CITY OR TOWN (If outside city limits, give precinct no.)

4c. NAME OF HOSPITAL (If not in hospital, give street address)

4d. INSIDE CITY LIMITS?

5a. THIS BIRTH SINGLE, TWIN, TRIPLET, ETC. (Specify)

5b. IF TWIN OR TRIPLET WAS CHILD BORN 1st, 2nd, 3rd (Specify)

Copy

Copy

FATHER

6. NAME (a) First (b) Middle (c) Last

7. RACE

8a. IS FATHER OF SPANISH ORIGIN?

8b. IF YES, SPECIFY MEXICAN, CUBAN, PUERTO RICAN, ETC.

9. AGE (At time of this birth)

10. BIRTHPLACE (State or foreign country)

11a. USUAL OCCUPATION

11b. KIND OF BUSINESS OR INDUSTRY

MOTHER

12. MAIDEN NAME (a) First (b) Middle (c) Last

13. RACE

14a. IS MOTHER OF SPANISH ORIGIN?

14b. IF YES, SPECIFY MEXICAN, CUBAN, PUERTO RICAN, ETC.

Copy

15. AGE (At time of this birth)

16. BIRTHPLACE (State or foreign country)

17a. USUAL OCCUPATION

17b. KIND OF BUSINESS OR INDUSTRY

18a. RESIDENCE STATE

18b. COUNTY

18c. CITY OR TOWN (If outside city limits, show rural) ZIP CODE

18d. STREET ADDRESS

18e. INSIDE CITY LIMITS

19. Children previously born to this mother (Do NOT include this birth) a. How many other children are now living?

b. How many other children were born alive but are now dead

c. How many children were born dead after 20 weeks pregnancy?

20. INFORMANT

21. I hereby certify that this child was born alive on the date stated above.

at

22a. ATTENDANT SIGNATURE

22b. ATTENDANT AT BIRTH M.D., D.O., C.N.M., MIDWIFE, OTHER (Specify)

22c. ATTENDANT'S ADDRESS

22d. DATE SIGNED

Copy

23a. REGISTRAR'S FILE NO.

23b. DATE REC'D BY LOCAL REGISTRAR

23c. SIGNATURE OF LOCAL REGISTRAR

FOR MEDICAL AND HEALTH USE ONLY (This Section MUST be filled out)

24. BIRTH WEIGHT

25. WAS EYE PROPHYLAXIS USED?

26. WAS PKU OR OTHER TEST MADE

27. DATE LAST NORMAL MENSES BEGAN (Month, Day, Year)

28. MONTH OF PREGNANCY PRENATAL CARE BEGAN

29. PRENATAL VISITS (Number)

30. COMPLICATIONS OF PREGNANCY

31. LENGTH OF INFANT

32.

33. CONGENITAL MALFORMATIONS OR ANOMALIES

Copy

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V-17

BEST COPY AVAILABLE

MARIA PINEDA

PARTERA

905 North 19th Street McAllen, Texas 78501

TELEPHONE 686-9453

Nombre de Niño o Niña ______________________

Cuando Nació ______________________

Pesó ______________________

Nombre de Padre ______________________

Edad ______________________

Lugar de Nacimiento ______________________

Ocupacion ______________________

Nombre de la Madre ______________________

Edad ______________________

Lugar de Nacimiento ______________________

Cuantos niños tiene ______________________

Firma del Interesado ______________________

Dirección Actual ______________________

No soy responsable si no lleva las instrucciones correctas

____

MARIA PINEDA

V-19

INFORMACION PARA REGISTRO DE NACIMINETO

NOMBRE DE NINO O NINA ______________________________?

FECHA DE NACIMIENTO ______________________________?

SEXO __________? CONDADO DE HIDALGO CIUDAD DE MCALLEN ?

NUMERO DE CASA DONDE NACIO EL NINO ______________________________?

NACIO EN RANCHO __________? HA QUE HORAS NACIO __________ A.M. P.M. ?

NOMBRE DEL PADRE ____________________? EDAD DEL PADRE ________?

LUGAR DE NACIMIENTO DEL PADRE ______________________________?

EN QUE TRABAJA EL PADRE ______________________________?

NOMBRE DE LA MADRE ANTES DE CASARSE ______________________________?

EDAD DE LA MADRE __________ EN QUE TRABAJA LA MADRE ____________________?

LUGAR DE NACIMIENTO DE LA MADRE ______________________________?

NUMERO DE CASA DONDE RESIDE ______________________________?

CONDADO DE ____________________ CIUDAD DE ____________________?

CUANTOS NINOS LE HAN NACIDO APARTE' DE ESTE ____________________?

CUANTOS NINOS VIVEN CON ESTE ______? CUANTAS LIBRAS PESO EL NINO ________?

CUANDO FUE SU ULTIMA REGLA? INDIQUE LA FECHA ____________________?

EN QUE MES EMPESO A VER EL MEDICO __________ CUANTAS CONSULTAS FUERON ______?

QUE TIPO DE SANGRE TIENE LA MADRE DE EL NINO ____________________?

TIENE ALGUN DEFECTO DISICO EL NINO OR NINA ____________________?

INDIQUE EL DEFECTO ______________________________?

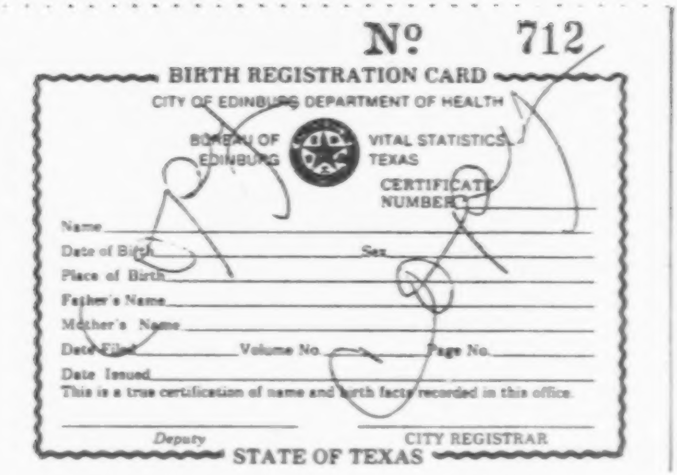
NOMBRE DE PARTERA ______________________________?

DOMICILIO ____________________ LA FECHA EN QUE SE REGISTRO ________?

PARA USE DE OFFICINA UNICAMENTE: INSPECTOR ____________________

APPROVED NOT APPROVED

MOTIVO OR RAZONES:



№ 712

BIRTH REGISTRATION CARD

CITY OF EDINBURG DEPARTMENT OF HEALTH

BUREAU OF VITAL STATISTICS
EDINBURG TEXAS

CERTIFICATE NUMBER ______

Name ______

Date of Birth ______ Sex ______

Place of Birth ______

Father's Name ______

Mother's Name ______

Date Filed ______ Volume No. ______ Page No. ______

Date Issued ______

This is a true certification of name and birth facts recorded in this office.

______ Deputy

______ CITY REGISTRAR

STATE OF TEXAS

Appendix V.B.

Inconsistent Uses of Hispanic Ethnic Identifiers
by the Department of Health and Human Services

ISSUE 3: Should the Department develop its own guidelines for standardizing the collection of racial and ethnic information [data]?

DISCUSSION:

From the ASMB inventory, 51 reports were randomly selected to ascertain the manner by which Hispanics were being identified in racial and ethnic questions. For 7 of these reports, no race/ethnic identifier could be found. In the remaining 44 reports, considerable variation was found in the manner that race/ethnicity was being identified. The following four types were being used:

Type I: Single question, combined race/ethnic identifier categories

1) American Indian or Alaskan Native
2) Asian or Pacific Islander
3) Black, not of Hispanic origin
4) Hispanic
5) White, not of Hispanic origin

Type II: Two questions, separate questions for race and ethnicity

a) Race
  1) White
  2) Black
  3) American Indian/Alaskan Native
  4) Asian/Pacific Islander
  5) Other*

b) Ethnicity
  1) Hispanic origin
  2) Non-Hispanic

Type III: Two questions, one with subclassification for Hispanic Ethnic groups.

a) Race
  1) American Indian/Alaskan Native
  2) Asian/Pacific Islander
  3) White
  4) Black
  *5) Other (Specify)______________

b) Ethnicity
  Hispanic origin
  Yes [] No []
  1) Puerto Rican
  2) Cuban
  3) Mexican-American
  4) Central or South American
  5) Other Spanish

---

*Sometimes included

Type IV: Two questions, race information and question on descent.

a) Race
1) White
2) Black
3) Asian/Pacific Islander
4) American Indian/Alaskan Native
5) Other

b) Descent or ancestry
1) German
2) Italian
3) Irish
4) English
5) etc.
6) "
7) "
8) "
9) "
10) Mexican-American
11) Chicano
12) etc.
13) "
14) Puerto Rican
15) Cuban
16) Central or South American
17) Other___________

In addition to variability in the wording of these questions and the number of questions needed to ascertain the information, there was also variability in the types of reports using these identifiers.

TYPE OF REPORT BY TYPE OF IDENTIFIER

Type of Identifier	TYPE OF REPORT Repetitive	 Single-Time	TOTAL No.	 %
Type I (Combined Race/Ethnic) Single question	18	8	26	59.1
Type II (Separate Race & Ethnic) 2 questions	4	3	7	15.9
Type III (Hispanic subclassification) At least 2 questions	3	6	9	20.5
Type IV (Separate Race & "Descent")	-	2	2	4.5
TOTAL	25	19	44	100.0

Appendix VI

REPORT OF THE SUBCOMMITTEE ON CRIMINAL JUSTICE*

Larry Trujillo, Convenor
John Berecochea, Social Issues Research Associates
Velia Garcia, Center for the Study of Race, Crime, and Social Policy
Patricia Morgan, University of California, Berkeley

Until the last decade or so, American criminology focused almost exclusively on the individual causes of crime, the rehabilitation of the convict, and the prevention of crime. Yet social policies suggested by criminologists have not significantly reduced the burden of crime in Hispanic communities. This "burden of crime" is highly visible in both the high rate of criminal victimization and the disproportionate number of Hispanics (especially Hispanic youth) locked into the criminal justice system. The tragic suffering resulting from these realities has prompted Hispanic leaders to call for reforms of the system. Part of this call has been for greater Hispanic input in criminal justice policy-making.

Another aspect of this crusade has been the demand for improved collection, analysis, and distribution of data/information on Hispanics and criminal justice. The current reorganization and significant budget cuts in the Law Enforcement Assistance Administration (LEAA) as well as other reorganization movements within the Department of Justice will surely compound the campaign to improve information on Hispanics.

---

*All of the Subcommittee members met on May 17, 1983 in Berkeley, California. In addition, Dr. Trujillo prepared a background paper on Hispanic involvement in the criminal justice system.

Existing data are inadequate for either basic research or policy-making purposes. The historical data are all but nonexistent. Since about 1980, data have improved somewhat, but on the whole they remain unreliable, fragmentary and often contradictory.

A further problem in the little survey data (e.g. self-reports, victimization studies, etc.) is that the survey questions are often formulated for the general population and therefore lack cultural specificity. The National Chicano Network of the Michigan Institute for Survey Research, among others, has recently alerted us to the importance of language and cultural nuances in both developing and administering reliable survey questionnaires. These methodological issues are particularly pronounced in relation to Anglo vs. Hispanic respondents, but also apply to the differences among persons of Hispanic origin.

Needless to say, without sound empirical data on criminal justice by race and ethnicity, it is difficult to assess such key concerns as the extent and type of criminal activities in Hispanic communities, Hispanic crime rates and criminal justice involvement compared to other communities, community attitudes (reactions) to crime, the need for new programs and evaluation of existing ones. In short, there should be a uniform national system for gathering, maintaining and distributing statistical data on Hispanics (sensitive to the differences among Puerto Ricans, Mexicans, Cubans, Central and South Americans).

Improved data, however, is only a part of the problem. Equally important is the accessibility of data to both the "outside" research community and Hispanic community organizations. Since raw data is increasingly stored on computer tapes, cost becomes another crucial factor in serving the Hispanic community organizations. Many Hispanic community agencies and organizations have neither internal capabilities for data runs nor funds to have these data runs conducted by outside sources.

Given this situation, there are several areas which merit attention to improve our understanding of the role of Hispanics and the criminal justice system. These include (1) data clearinghouse and dissemination activities; (2) improving data collection systems; and (3) ethnographic studies.

Data Collection and Dissemination

In this area there is need for advocacy on behalf of the Hispanic community. This can be done in at least three significant ways: (1) supporting Hispanic efforts to keep abreast of information on Hispanics and criminal justice; (2) establishing several regional clearinghouses for the retrieval, cataloguing and dissemination of information; and (3) supporting research responsive to the identified needs of the Hispanic community with regard to criminal justice.

Given the current state of affairs, basic state-of-the-art papers and annotated bibliographies are needed on every area of criminal justice in relation to Hispanics. Several research units have conducted data collection and reviews of the literature, and primary research units/organizations have done specific research on Hispanics and crime. These include the following:

- Center for the Study of Race, Crime and Social Policy (NIC Project), Oakland, Calif.
- National Council on Crime and Delinquency (NCCD), San Francisco, Calif.

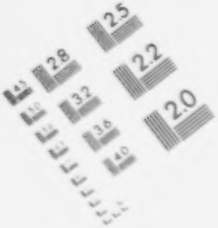
- National Urban League (NUL), Washington, D.C.
- National Council de la Raza (NCLR), Washington, D.C.
- National Hispanic Conference on Law Enforcement and Criminal Justice (LEAA funded, 1980)
- Los Angeles Pinto Project, Los Angeles, Calif.

Yet, up to this point, no effort has been made to compile, synthesize and/or disseminate the results of these research efforts. A project of this nature would be invaluable to the research community and to policy-makers. This leads to

Recommendation 1: To fund establishment of several regional (California, Texas, New York, Florida) clearinghouses to collect and catalogue data, documents, reports, and other materials (including nontraditional community literature, e.g., newspapers, pamphlets, etc.) on Hispanics and criminal justice. These clearinghouses should be accessible to both researchers and community-based agencies/organizations, and a bibliographic newsletter which updates materials received should be printed.

Recommendation 2: To fund a national directory/research inventory which would include a list of researchers, research units, and organizations doing work on Hispanics and crime, listing name, location, and major activites (including work in progress or current programs).

Recommendation 3: To commission state-of-the-art papers by Hispanic researchers in key areas of criminal justice, including police, courts, juvenile justice, parole, and probation. These should also address issues pertaining to Hispanic women. Papers on the interconnection


2.5
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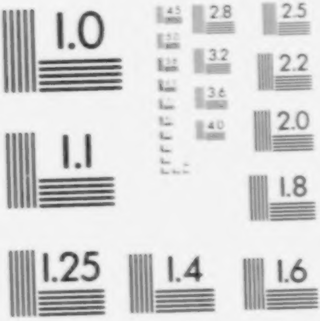
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abcdefghijklmnopqrstuvwxyz1234567890

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abcdefghijklmnopqrstuvwxyz
1234567890

1.0 mm

1.5 mm

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A5

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2.2
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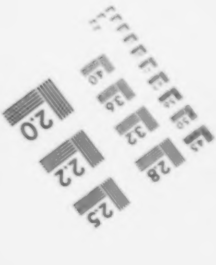
3.2
2.8
4.5


2.0
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3.2
2.5
2.8
4.5

between criminal justice and alcohol and drug abuse and immigration also should be included. And, a comprehensive master annotated bibliography on Hispanics and criminal justice should be compiled.

Improving Data Collection Systems

The criminal justice system provides most of our statistics on crime, starting with crimes known to the police. Most quantitative information on crime and criminal conduct operate at the local or state level. Perhaps as a result of the division there are only a few statistical series covering the nation as a whole: the Uniform Crime Reports, National Crime Survey, Uniform Parole Reports, National Prisoner Statistics, Census of Jails, and Expenditure and Employment Data for the Criminal Justice System. The first four now (since about 1981) show ethnicity breakdowns for Hispanic vs. other, but their routine reports do not state how "Hispanic" was determined or how the information was obtained. The latter two have no information on race or ethnicity. Data on the number of employees of law enforcement agencies is also reported in the Uniform Crime Reports, but it too is lacking information on race/ethnicity.

It is therefore advisable to investigate strategies for requiring all sectors of the criminal justice system to keep and maintain separate statistics on Hispanics, and that these statistics be broken down by national origin, i.e., Mexican American, Puerto Rican, Cuban, Central/South American. As a first step, we propose

Recommendation 4: To prepare a special resource document summarizing data on Hispanics and crime provided by the Federal Bureau of Prisons, the National Institute of Justice, the National Clearinghouse of Legal

Services, the National Criminal Justice Reference Service, the National Council on Crime and Delinquency, and the National Institute of Corrections.

In assessing the full extent of crime and criminal conduct, these data sets have several limitations. Information from the Uniform Crime Reports on Hispanics is limited to persons arrested, while the National Prisoner Statistics and Uniform Parole Reports Series are limited to those committed to prison and released on parole, respectively. There is no national statistical data on caseloads of criminal prosecutors and courts. This is unfortunate, since criminologists generally agree that the statistics on persons processed by criminal justice agencies are best seen as providing information on the persons handled by these agencies. Thus, critically important information on how persons of Hispanic origin are treated by the criminal justice system is limited to the beginning and the end of the legal process. In addition, even these reports virtually always use the ethnicity information to describe those arrested, in prison, and on parole as opposed to analyzing the degree to which being Hispanic might affect how an individual's case is processed, at each step and over different locations and times.

Recommendation 5: To assess the processing of persons of Hispanic origin by the relevant agencies, using the information collected for the Uniform Crime Reports, National Prisoner Statistics, and National Probation and Parole Statistics.

Futhermore, information which would be of potentially great value in conducting studies of the treatment of Hispanics by the criminal justice system is found in the series on Expenditure and Employment Data for the Criminal Justice System. Unfortunately, it is limited to just the number of employees (of different types, such as uniformed and civil for the police) for each agency, but general socioeconomic information on the areas served by these agencies could be readily obtained from other sources. However, one critical variable is missing from these data: race/ethnicity of the agencies' personnel. Such information would also be of great value in efforts to have these agencies represent ethnically those they process (i.e., the people arrested and so forth) or the public they serve (i.e., the people who live in the city, state, or the geopolitical unit the agency serves). The series on Expenditure and Employment Data for Criminal Justice Agencies could be enhanced by including an ethnic breakdown of personnel.

The following is a brief synopsis of data available at each phase of criminal justice processing:

Arrest Statistics. The FBI Uniform Crime Reports did not include until 1981 a separate Hispanic category in their arrest data. Consequently, few state crime-reporting agencies collected such data. Those that did collect such data independently determined who fit the Hispanic category, leaving the data unreliable for comparison. Since 1981 ethnicity has been listed in Uniform Crime Reports, but their routine reports do not state how the information was obtained. Moreover, information in the Uniform Crime Reports is limited to crimes known to the police, official arrests, and police dispositions.

Court Statistics. Unfortunately, there is no statistical data on caseloads of criminal prosecutors and courts. The Prosecution Management

Information Systems (PROMIS) permits classification by race or ethnicity, but only Los Angeles County, San Diego County, and Tallahassee list any Hispanic data.

Prison Statistics. There is no consistent data on the number of Hispanic inmates. California and Texas are beginning to include Hispanic tabulations in their felon characteristic profiles. Florida does not separate Cubans from Anglos. LEAA jail and prison surveys have some raw data on race and ethnicity, but nothing published on Hispanics. The Offender Base State Correctional Informational System (OBCIS) does not yet key for ethnicity.

Probation and Parole. At this point we do not even have an accurate count of Hispanics on probation or parole.

Juvenile Justice. To our knowledge, there is virtually no national data on Hispanic youth offenders.

Populations Surveys

Unbiased knowledge of crimes and criminals depends upon learning about all crimes and criminals, not just those resulting from arrests by the police. Victim surveys and self-reports of criminal conduct based on probability samples of the general population are therefore essential for an accurate understanding of crime and criminals.

The Criminal Victimization Survey is unique in that it asks a random sample of people if they have been a victim of crime within a recent period of time. It is thus far superior to "official" statistics for information on crime. However, much crime is committed by people unknown and unseen by the victim, so this data base provides less than optimum information on the ethnic background of people who commit crimes (victim survey techniques only deal with "street crime"). But it provides information on the only intentionally representative sample of the victims of crimes. To date these data show Hispanics are overrepresented as victims of crimes. These sample surveys generally are limited to metropolitan areas or individual census tracts, and therefore are not nationally representative. The extent to which victim survey findings are comparable to other indices of crime is also questionable.

The victimization surveys are very important because they lead to thinking quantitatively about what happens to the victims of crime, and thus should be continued. Certainly there are abundant bases for inferring that Hispanic victims of crime would be less well treated by the criminal justice system than non-Hispanics. It thus would be very valuable to include in these surveys information on how the victims (who reported being victimized) felt about their treatment by the criminal justice system. Again, it would be analytically fruitful to determine the relationships of the victim's perceived treatment to information on the agencies themselves. Information on Hispanic victims should be further analyzed, and these analyses should address the question as to how Hispanics see their treatment of the criminal justice system.

Although no government or other agency regularly conducts surveys of the general population to inquire about their involvement in criminal conduct, such "self-report" surveys are done frequently in many parts of the country, using various methods. A critical finding of these studies is that although socioeconomic class is typically found to be inversely connected with criminal conduct using measures based on officially identified criminals, there is no relationship, positive or negative, for measures based on self-reported criminal conduct among samples from the general population. Given the strong association of ethnicity with socioeconomic status, analyses of ethnicity and criminal conduct based on self-reports by the general population would add greatly to an understanding of the relationship between a person being of Hispanic background and involvement in criminal conduct. This leads to

Recommendation 6: To fund survey research which empirically examines the relationship between Hispanic background and criminal conduct through self-reports of samples drawn from the general population.

The general public--witnesses and jurors--although very concerned with crime, are typically ignored in statistical systems, except for public opinion polls. This is unfortunate, as the perceived adequacy of the operations of the criminal justice system is of great importance for maintaining political and social stability. A government perceived as failing to be just in the operation of its crime-control system is in trouble. As Hispanics are more frequently victimized by crime, their opinions are especially important, particularly from those who serve as witnesses or jurors.

Given the historical role of police and courts in the barrios, it is certain that Hispanics would have a distinct view of the criminal justice system, perhaps including views on alternative methods of crime control and the processing of crimes. Information on their opinions and special knowledge would be of great value in efforts to improve the criminal justice system. This leads to

Recommendation 7: To encourage studies of the attitudes, beliefs, and opinions of victims, witnesses, and jurors (as well as charged criminals) about their experiences as participants in the criminal justice system, especially for Hispanics living in barrios.

Drugs and Alcohol

Two areas closely related to Hispanics and crime, and in need of better cross-referencing and understanding, are drug and alcohol abuse. The National Institute on Drug Abuse (NIDA) has collected some data on Hispanics. The Client-Oriented Data Acquisition Program (CODAP), which collects information on people entering or leaving drug abuse programs, identifies Hispanics under these categories: Puerto Rican, Mexican American, and Cuban. Only about one-half of all CODAP programs nationwide participate in this automated information system. Like other data bases produced by criminal justice agencies, the CODAP system is biased by the fact that only participants in these programs are included. Therefore, future users of the CODAP data should identify the biases of the CODAP system to determine how the information might be generalized, if possible, and the data then analyzed to shed light on the Hispanics who participate in different forms of drug abuse treatment programs.

The National Survey on Drug Abuse has been conducted annually since 1971 on a national probability sample of the general population. Sponsored by the National Institute on Drug Abuse of the U.S. Department of Health and Human Services, it is conducted by private research organizations. The focus is upon the prevalence and modes of typical use of drugs. Unfortunately, Hispanics were included with whites in some years and "blacks and other races" in others. Also, the mode of categorization has shifted from observation by the interviewer to self-identification by the respondent. It is a potentially valuable resource for information on all drug users--not just those unrepresentative samples of people who become involved in treatment programs or the criminal justice system for criminal behavior. Therefore, to enable researchers and policy makers to utilize these data for identifying and addressing problems among Hispanics, we propose

Recommendation 8: That the annual National Survey on Drug Abuse be revised to record the respondent's self-identification as Hispanic, and the published reports should report separate tabulations for Hispanics. Special analyses for this group should also be conducted.

The Survey of Student Drug Use in America has been conducted annually since 1975 by the University of Michigan Institute for Social Research, mostly under funding from the National Institute on Drug Abuse. It surveys a national sample of high school seniors on their use of drugs (including cigarettes) with respect to prevalence, attitudes, and beliefs about drugs, perceived attitudes of their parents and friends, and perceived availability of drugs. Unfortunately, it asks no question regarding race/ethnicity. Also, the National Drug Abuse Treatment Utilization Survey (NDATUS) and Drug Abuse Warning Network (DAWN), both NIDA projects, do not collect separate data on Hispanics. Therefore, we urge that the National Abuse Treatment Utilization Survey (NDATUS) and Drug Abuse Warning Network (DAWN) and the National Survey on Drug Abuse collect separate data on Hispanics.

Data on Hispanics and drinking problems are virtually nonexistent. Since there are most certainly links between alcohol abuse and criminal justice, a great deal more work needs to be done in this area. The National Institute on Alcohol Abuse and Alcoholism (NIAAA) Clearinghouse on Alcohol Information has one monograph series on special populations with limited data on Hispanics and alcohol. Most national surveys conducted on alcohol abuse are of the general population and the percentage of Hispanic respondents is too small for analysis. Furthermore, the few samples do not distinguish ethnicity within the Hispanic label, and the quantitative results are conflicting. A recent California survey by the Alcohol Research Group, for example, raised more questions than it answered. Both basic data and reviews of the literature on Hispanics, crime, and alcohol abuse simply do not, to this point, exist. This leads to

Recommendation 9: To conduct a national survey specifically on Hispanics and alcohol abuse, with a series of specific questions on crime and criminal justice, and to encourage basic research on the relationship between alcohol abuse and crime in the Hispanic community.

Furthermore, we urge that the NIAAA Clearinghouse on Alcohol Information communicate more directly with the National Criminal Justice Reference Service concerning the retrieval and cataloguing of information on Hispanics and Alcohol Abuse.

Immigration

One final area that needs to be addressed is the relationship between immigration and criminal justice--particularly in regards to undocumented Hispanic immigrants. Undocumented Mexican and other Latino immigrants are increasingly being processed through the criminal justice system. Yet we know very little about their contacts with police (or INS agents), courts, or their numbers among the incarcerated. We know these numbers are growing, as are the deportation rates, yet we have no sense of the exact proportion of undocumented immigrants currently being processed through the criminal justice system. Furthermore, we have little knowledge of their particular problems or program needs once they are locked into the system. This suggests a need for basic research on the effects of immigration policies and practices on undocumented Hispanic immigrants, especially with respect to the criminal justice system.

Ethnographic Studies

One of the biggest gaps in the field of criminology is the paucity of good ethnographic data. Statistical data suggest that an overrepresentative number of Hispanics are in prison, that sentencing patterns are discriminatory, and that police use of deadly force is out of proportion in the barrios and ghettos. These studies reveal, however, little about how these dynamics have unfolded over time and become a persistent reality of barrio life. Further, they remain essentially unconnected to larger changes in the political economy (e.g., fiscal crisis, marginalization, urban flight, etc.). Hence, suggestions for reform usually address symptoms rather than causes.

Consequently, another crucial research need is to unravel and explain the complex interconnections among race, ethnicity, crime, and barrio life. While statistical data are certainly useful in this research mission, good ethnographic descriptions of life in Hispanic communities would generate additional rich findings upon which to build social policies and programs. Community studies which link structures or political economy to culture (the way Hispanics adapt to the communities, including the development of alternative institutions) and biography (how individuals choose their options) would generate crucial data for understanding crime and criminal conduct among Hispanics. Furthermore, the cross-comparison of Chicano, Puerto Rican, and Cuban communities would help to explain both the similarities and differences among these ethnic groups. The return would be invaluable for policy-makers. The Ford Foundation would be an ideal sponsor for this kind of research. This leads to

Recommendation 10: To conduct a series of ethnographic community studies with an emphasis on crime and criminal justice activities in the barrio. At least two Mexican American, Puerto Rican, and Cuban communities should be studied, with a final study comparing all these ethnographies.

Youth Gangs

One of the persistent images is that Hispanic (especially Chicano) youth run in "gangs." This perception by law enforcement agencies and the general public, exacerbated by the media, becomes a form of racial stereotyping or more generally a race issue with serious consequences to the barrio. Chicano and other Hispanic gangs do exist and on occasion are violent, but a majority of youth are not involved in these activities. Ethnographic studies (structural, cultural, and biographical) conducted by Hispanic researchers in collaboration with local Hispanic organizations and gang members could provide new interpretations which could serve as the groundwork for more realistic policies.

Furthermore, a cross-cultural comparative study of Puerto Rican, Mexican American, and Cuban youth gangs could provide invaluable information concerning the similarities and unique features of the various sorts of groups formed by Hispanic youths. These, in turn, could be compared to other literature on black, white, and Asian youth "gangs." Accordingly, we propose

Recommendation 11: To fund further research projects on the Hispanic youth gang issue. At least one of these studies should include a national, cross-cultural, comparative ethnographic study of Puerto Rican, Mexican American, and Cuban youth gangs. And researchers should be encouraged to include, in a collaborative method, community organizations and gang leaders in the research process.

Appendix VI.A

Hispanics and Criminal Justice:
State of the Arts

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The historical relationship between the Hispanic community and the criminal justice system has been one of constant conflict. Gilbert Pompa, the highest-ranking Hispanic official in the Department of Justice, has gone so far as to call this relationship "an undeclared war." The impact of this "undeclared war" is devastating to barrio life.

How did this explosive situation originate and develop over time? And, more important, how can it be changed? These are crucial questions facing us in the 1980s--the so-called "Deacade of the Hispanic." Yet, to date, studies in criminology and statistical data on criminal justice and crime among Hispanics have failed to provide much insight into these critical questions. Because of this, social policies and programs generally have been ineffective. This paper provides an examination of the existing research and research needs concerning Hispanics and criminal justice.

I. CRIMINOLOGICAL STUDIES

While a number of important studies have emerged in recent years, there remains a paucity of literature on Hispanics, crime, and criminal justice.* The literature that does exist is, for the most part, atheoretical, ahistorical, piecemeal, and often ambiguous or contradictory in its findings. Furthermore, this literature focuses almost exclusively on "street crime" and rarely incorporates Hispanic perspectives into the research process. Consequently, the literature often serves to perpetuate racial stereotypes about Hispanics and criminal conduct. Yet these studies continue to guide social policy.

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*In the process of researching this paper I ran a computer bibliographic search on the topic "Hispanic and criminal justice." The result was 62 citations. Knowing there is more literature than this, I checked my own personal files and cited over 400 articles on the subject. I am currently preparing an annotated bibliography. The point is, however, that much of the literature does not show on computer searches and therefore remains hiddden for researchers. This, in and of itself, is a research problem.

Criminologist Alvin Rudoff, for example, in a recent article explains the high delinquency rate among Mexican American youth as follows:

> There are several factors of the Mexican American culture that tend to impede the acculturation and treatment process and affect their background and personality. The family constellation is an unstable one as the father is seen as withdrawn and the mother as a self-sacrificing and saintly figure. The Mexican American has little concern for the future, perceives himself as predestined to be poor and subordinate, is still influenced by magic, is gang-minded, distrusts women, sees authority as arbitrary, tends to be passive and dependent, and is alienated from the Anglo culture...unambitious, spurns achievement...is immature, rigid, restricted, fatalistic, has a minimum self-confidence and self-direction and inefficient use of intellectual capacities... more seriously depressed than Anglo counterpart...It is very tempting to assume the social problems of the Mexican Americans will be ameliorated with acculturation and assimilation (1971:11-14).

Thus, in one short article, Rudoff manages, in the name of "objective" criminology, to perpetuate many of the myths and stereotypes that have been transmitted since the Mexican conquest. In making certain assumptions about the Chicano delinquent, he relies on the work of earlier social scientists--quoting from Sanders (1958), Kluckholm (1954), Lewis (1951), and Broom (1952). These authors, in turn, relied on generalizations of even earlier social scientists: Bryam (1919), Dickerson (1919), and McLean (1926). The earliest criminological studies were blatantly biased; later works were much more sophisticated and subtle in their biases. Similar shortcomings appear in the even more limited literature on Puerto Ricans (Sisson, 1979).

The emergence of racial stereotypes occurred many years before the first criminological writings on Chicanos (Vaca, 1970). Abetted by the vestiges from the Mexican War (1846) of slogans such as "Kill the Mexicans" and "Death to the greasers," a strong degree of Anglo nationalism and racism led to the development of racial stereotypes of Chicanos which greatly influence the early criminological writings. The depiction of Mexicans in the 1860s and 1870s as "bloodthirsty," "throat-cutting," "innate" bandits, for example, found its way into the early criminology literature (Trujillo, 1974; Castillo and Amarillo, 1973).

The notion that the Mexican was "innately criminal" was not inconsistent with the general criminological thought of the time (Vold, 1958). By the late nineteenth century criminology became heavily influenced by the European positivists (see Lombroso, 1976). The emphasis of this school of thought on biological/racial determinism was to become a popular explanation of the Chicano's criminal behavior.

This period produced theories of criminal behavior based on phrenology, heredity, personal defects, and mental retardation. The articles that were published discussing the Chicano and crime concentrated on the Chicano's behavior in terms of biological or racial weakness. Consequently, Chicanos were described as "lawless" or "criminal" because of their "Indian blood" "mental retardation," "low intelligence," and "feeblemindedness," which were all judged by Anglo IQ testing (Garretson, 1919). The central concern of criminologists was how to control these "inferior people."

About this time a barrage of psychological studies linking intelligence to heredity began to appear (see Gosset, 1958:171). Chicano children became one of the primary test groups for these social scientists. Once they were satisfied that Chicano children were intellectually inferior (based on Anglo IQ testing), the went on to suggest other personality traits that supposedly resulted from this low mentality. One of the most popular conclusions was a propensity for criminal behavior.[1]

In the 1930s and 1940s, led by the Chicago School of Criminology, criminologists shifted from a biological to a "cultural pathology" perspective in explaining crime among Chicanos.[2] This perspective blamed all the social ills facing the Chicano community in the United States on their "Mexican culture" and their "disorganized community" (National Commission on Law Observance and Enforcement, 1931). Mexicans, they argued because of their culture were lazy (living in mañana-land), shirked responsibility, lacked competition, and enjoyed savoring life with rest and leisure (Humphrey, 1941; Tuck, 1946; May, 1929). With these stereotypes in hand these authors went on to make the logical conclusion that Mexican immigrants were naturally deviant, and "we must rehabilitate thses deviants with 'new' and 'desired' cultural values" (Humphrey, 1941:54).

In 1931 the National Commission on Law Observance and Enforcement came out with a special volume, Report on Crime and the Foreign Born (1931), which contains rich descriptive analysis of Chicanos and criminal justice throughout the United States. The report showed that the public and law enforcement agencies regarded Mexicans as a "bad lot" and "natural thieves," even though the facts did not support such a claim (1931:ix). The study likewise challenged the biological determinist perspective by arguing that environment was the primary cause of Mexican criminality.

The 1940s and 1950s marked the rise of the functionalist school of criminology. Heavily influenced by Robert Merton's Social Theory and Social Structure (1957), Albert Cohen introduced the concept of "delinquent subculture" (1955). Cohen made the assumption that working-class boys revolt against the attempted imposition of a middle-class lifestyle and middle-class values by becoming delinquent. Moreover, he argued, aggressiveness, fighting, and lack of motivation are all part of this "subculture" that ultimately lead to crime and delinquency. This idea of the "delinquent subculture" has become the most popular explanation for Chicano delinquency and the formation of Chicano "gangs" (Bogardus, 1943; Harvey, 1948). For example, anthropologist Celia Heller's Mexican American Youth (1966) played heavily on this theme. In doing so, Heller described Chicano delinquents in terms such as "fatalistic," "lack habits of self-discipline," "do not stress educational and intellectual efforts," and stated that the father-son relationship is "profoundly disturbed" arriving at the ridiculous conclusion that:

> the excess of juvenile delinquents among Mexican Americans is not composed of deviants from the cultural pattern of the Mexican American population but rather of boys who overconform to this pattern. In this view, the most striking "deviants" among Mexican youth are not these delinquents but the youngsters...who aspire to go to college (1966:76-77).

In the late 1960s the U.S. Commission on Civil Rights undertook a study entitled Mexican Americans and the Administration of Justice in the Southwest (1970) to determine whether Mexican Americans were being denied equal protection under the law. Through questionnaires, literature reviews and a series of public hearings throughout the Southwest, the commission concluded that this was indeed the case.

The Report documented that biased treatment of Mexican Americans existed at all levels of the criminal justice system. The racism ranged from police abuse to violent brutality; from unwarranted and unlawful arrest to denial of bail; from lack of legal counsel and language barriers to underrepresentation in jury selections and appointments to all levels of courts; from longer sentencing patterns to racist treatment for the incarcerated.

What is particularly striking about this report is that it mirrors the exact realities, sentiments, and calls for reform expressed in The Report on Crime and the Foreign Born (1931), produced 40 years earlier.

Another prominent work to emerge during this period was Armando Morales' Ando Sangrando [I am Bleeding]: A Study of Mexican-American Police Conflict in Los Angeles (1972). Born out of the East Los Angeles barrio rebellions of the early 1970s, Ando Sangrando reflects the anger, rage, and frustrations of the period. Furthermore, Morales was the first author to write openly from what he terms a "Chicano perspective" and to place the issues within a historical perspective. Thus, for anyone attempting to understand police-barrio relations during the turbulent sixties, Ando Sangrando stands as a landmark document.

Morales' study is a polemic against the stereotype of Mexicans as "passive." He counters through historical documentation that Mexicanos/Chicanos have in fact been very active in their demands for social justice and that it has been the criminal justice system that has acted "passively" in redressing Chicano community complaints.

Chapter Five is important, dealing with policy deployment theories. Morales conducted a comparative analysis of two communities with almost identical alcoholism rates--one a predominantly white middle-class suburb in the Los Angeles West Valley, the other an East Los Angeles Mexican barrio. In his survey Morales found that the police made 800 drunk and drunk driving arrests in the Chicano community and only 125 in the Anglo community. This, Morales concluded, was directly related to the fact that eight times as many police were deployed in the barrio (1972:47-56).

While Morales' book is rather fragmentary and theoretically underdeveloped, it nevertheless provided the first bridge toward a Chicano perspective, a bridge which greatly influenced and inspired the next generations of Chicano scholars.

In the late 1960s and early 1970s, with the development of Chicano Studies as a field of research, Chicano social scientists began a general critique of the literature on Chicanos.[3] After reading through the social science literature, for example, Octavio Romano, in a seminal work, observed that the Chicano was viewed basically as

> fatalistic, resigned, apathetic, traditional, emotional, impetuous, volatile, affective, non-rational, irrational, non-goal-oriented, uncivilized, primitive, unorganized, uncompetitive, uncooperative, retarded, under-achiever, under-developed, criminal, apolitical, apathetic and just plain lazy (1967:7).

These labels, although many are contradictory, are all negative. The racist and widely accepted concepts and labels concerning Chicanos that have been advanced in the name of social science show clearly the need for a new, more sensitive perspective (see Trujillo, 1974).

Joan Moore's Homeboys: Gangs, Drugs and Prisons in the Barrios of Los Angeles (1978) is the most important book to appear on Hispanics and crime to date. The rich ethnographic material on Chicano gangs, barrio drug markets and the _pinto_ (Chicano prisoner) prison experience makes _Homeboys_ a major contribution to the field of criminology and a model for future research.

The central concern of _Homeboys_ is to explain the phenomena of gangs, drugs, and prisons within the realities of everyday life in the barrios of Los Angeles. The author isolates three critical realities for explanation: the distinctive ethnic minority context of Chicanos in Los Angeles; the institutional system that has shaped the lives of barrio residents; and the barrio economy. These, Moore notes, "are the factors that build a continuity of experiences in the lives (careers) of individuals, and also in the lives of communities, gangs and drug market structures" (p. 169). The exploration of these phenomena forms the basis of the book.

Homeboys emerged from the Chicano Pinto Research Project. It was a mandate of the project that the _pinto_ viewpoint be primary. The collaborative model utilized is innovative and of methodological interest. Appendix A, "Analysis of the Natural History of the Pinto Project," gives a detailed account of the rich experiences and traumas involved in integrating academic researchers, ex-convicts and community organizers into the research process.

Moore rejects the biological and cultural determinists' perspectives. Thus, gangs, drugs and prisons are not manifestations of "pathological" behavior, but rather exist as adjustments, albeit self-destructive, to the material conditions of the barrio. _Homeboys_ provides an insightful, and no doubt provocative, ethnographic investigation of one road of barrio life--a continuing process of Chicano youth joining gangs, using drugs, doing time, and returning to the strong ties of la familia (the Chicano family) and the barrio. These are the homeboys.

Homeboys' major contribution to the field of criminology is its explanation of the continuities between prison life and street life in the barrio. "When we talk about the continuity of prison and street life," Moore argues, "we refer to norms that shape pinto behavior and are derived from gangs and the context of familistic Mexican neighborhoods" (p. 112). This insight challenges Goffman's "total institution" perspective which dominates penology. Pintos are absorbed with their families and the streets. For Moore, continuity, not discontinuity, between the barrio and prison is the key to understanding Chicano homeboys.

Moore therefore was critical of R. Theodore Davidson's book Chicano Prisoners: The Key to San Quentin (1974), the only major work on Chicano prisoners. She took issue with Davidson's basic assumption "that the convict social structure is endogenous to the prison, and that prior roles and norms are irrelevant to Chicano pinto behavior" (p. 127). I agree with Moore's assessment that Davidson misunderstands pintos and dismisses pintos' ties to the barrio. This stems from the fact that Davidson developed no understanding of Chicano culture or barrio life.

Equally important in its documentation is Homeboys' history of the Chicano self-help movement, from the early Chicano jailhouse lawyers, through organized self-help groups inside, to self-help organizations in the barrio. The pinto self-help movement can be seen as part of both the Chicano movement and the prison movement. Little has been recorded about the Chicano pinto movement. Moore shows how the self-help movement provides one of the more realistic opportunities for pintos to deal effectively with the prison reality.

II. DATA AND DATA GAPS

> "Statistical visibility is policy visibility."
>
> --Congressman Edward Roybal

Existing data on Hispanics and criminal jsutice are inadequte for either basic research or policy-making purposes. In fact, the category "Hispanic" is itself problematic.[4] The historical data are all but nonexistent. Since about 1980 data have improved somewhat, but on the whole they remain unreliable, fragmentary and often contradictory. A further problem in the little survey data (e.g., self-reports, victimization studies, etc.) is that the survey questions are often formulated for the general population and therefore lack cultural specificity. The National Chicano Network of the Michigan Institute for Survey Research, among others, has recently alerted us to the importance of language and cultural nuances in both developing and administering reliable survey questionnaires. These methodological issues are particularly pronounced in relation to Anglo vs. Hispanic respondents, but also apply to the differences among persons of Hispanic origin.

Needless to say, without sound empirical data on criminal justice by race and ethnicity, it is difficult to assess such key concerns as the extent and type of criminal activities in Hispanic communities, Hispanic crime rates, and criminal justice involvement compared to other communities, community attitudes (reactions) to crime, the need for new programs and evaluation of existing ones. In short, there should be a uniform national system for gathering, maintaining, and distributing statistical data on Hispanics (reflecting sensitivity to the differences among Puerto Ricans, Mexicans, Cubans, Central and South Americans).

Improved data, however, is only a part of the problem. Equally important is the accessibility of data to both the "outside" research community and Hispanic community organizations. Since raw data are increasingly stored on computer tapes, in serving the Hispanic community organizations, cost becomes another crucial factor. Many Hispanic community agencies and organizations have neither internal capabilities for data runs nor monies to have these data runs conducted by outside sources.

National Official Statistics

The criminal justice system provides most of our statistics on crime, starting with crimes known to the police. Most quantitative information on crime and criminal conduct operates at the local or state level. Perhaps as a result of this fractionation, there are only a few statistical series covering the nation as a whole: the Uniform Crime Reports, National Crime Survey, Uniform Parole Reports, National Prisoner Statistics, Census of Jails, and Expenditure and Employment Data for the Criminal Justice System. The first four now (since about 1981) show ethnicity breakdowns for Hispanic vs. other, but their routine reports do not state how "Hispanic" was determined or how the information was obtained. The latter two have no information on race or ethnicity. Data on the number of employees of law enforcement agencies are also reported in the Uniform Crime Reports, but they too lack information on race/ethnicity.

In assessing the full extent of crime and criminal conduct, these data sets have several limitations. The Uniform Crime Reports information on Hispanics is limited to persons arrested, while the National

Prisoner Statistics and Uniform Parole Reports Series are limited to those committed to prison and released on parole, respectively. There is no national statistical data on caseloads of criminal prosecutors and courts. This is unfortunate, since criminologists generally agree that the statistics on persons processed by criminal justice agencies are best seen as providing information on the persons handled by those agencies. Thus, critically important information on how persons of Hispanic origin are treated by the criminal justice system is limited to the beginning and the end of the process. In addition, even these reports virtually always use the ethnicity information to describe those arrested, in prison, and on parole as opposed to analyzing the degree to which being Hispanic might affect how the person is processed, at each step and over different locations and times. Nonetheless, the data on Hispanic origin are at least available from these sources on the people so processed and could serve as the basis for useful analysis.

Additionally, information which would be of potentially great value in conducting studies of the treatment of Hispanics by the criminal justice system is found in the series on Expenditure and Employment Data for the Criminal Justice System. Unfortunately, it is limited to just the number of employees (of different types, such as uniformed and civil for the police) for each agency, but general socioeconomic information on the areas served by these agencies could be readily obtained from other sources. However, one critical variable is missing from these data: the race/ethnicity of the agencies' personnel. Such information would also be of great value in efforts to have these agencies represent ethnically those they process (i.e., the people arrested and so forth) or the public they serve (i.e., the people who live in the city, state or other geopolitical unit the agency serves).

Population Surveys

Unbiased knowledge of crimes and criminals depends upon learning about all crimes and criminals, not just those resulting from arrests by the police. Surveys of victims and self-reports of criminal conduct based on probability samples of the general population are therefore essential for accurate understanding of crime and criminals.

The Criminal Victimization Survey is unique in that it asks a random sample of people if they have been a victim of crime within a recent period of time. It is thus far superior to "official" statistics for information on crime. However, much crime is committed by people unknown and unseen by the victim, so this data base provides less than optimum information on the ethnic background of people who commit crimes (victim survey techniques only deal with "street crime"). But it provides information on the only intentionally representative sample of the victims of crime. To date its results show that Hispanics are overrepresented as victims of crime. These are sample surveys generally limited to metropolitan areas or individual census tracts, which is problematic. The extent to which victim survey findings are comparable to other indices of crime is also questionable.

The victimization surveys are very important because they lead to thinking quantitatively about what happens to the victims of crime. Certainly there are abundant bases for inferring that Hispanic victims of crime would be less well treated by the criminal justice system than non-Hispanics. It thus would be quite valuable to include in these surveys information on how the victims (who reported being victimized) felt about their treatment by the criminal justice system. Again, it would be analytically fruitful to determine the relationships of the victim's perceived treatment to information on the agencies themselves.

Although no government or other agency regularly conducts surveys of the general population to inquire about their involvement in criminal conduct, such "self-report" surveys are done frequently in many parts of the country, using various methods. A critical finding of these studies is that although socioeconomic class is typically found to be inversely connected with criminal conduct using measures based on officially identified criminals, there is no relationship, positive or negative, for measures based on self-reported criminal conduct among samples from the general population. Given the strong association of ethnicity with socioeconomic status, analyses of ethnicity and criminal conduct based on self-reports by the general population would add greatly to an understanding of the relationship between the fact that a person has a Hispanic background and is involved in criminal conduct.

The general public, witnesses, and jurors, while very concerned with crime, are typically ignored in statistical systems, except for public opinion polls. This is unfortunate, as the perceived inadequacy of the operations of the criminal justice system is of great importance. A government which is seen as failing to be just in the operation of its crime-control system is in trouble. As Hispanics are more frequently victimized by crime, their opinions are of special importance, especially those who serve as witnesses or jurors.

Given the historical role of police and courts in the barrios, it is certain that Hispanics would have a distinct view of the criminal justice system, perhaps including views on alternative methods of crime control and the processing of crimes. Information on their opinions and special knowledge would be of great value in efforts to improve the criminal justice system.

Data Available from the Criminal Justice System

The following is a brief synopsis of data available at each phase of criminal justice processing.

Police Statistics. Most of our information concerning arrest data comes from the FBI Uniform Crime Reports. The Uniform Crime Reports did not include a separate Hispanic category in their arrest data until 1981. Consequently, few state crime-reporting agencies collected such data. Moreover, those that did so independently determined who fit the Hispanic category, leaving the data unreliable for comparison. Since 1981 ethnicity has been listed in Uniform Crime Reports, but their routine reports do not state how the information was obtained. Moreover, information in the Uniform Crime Reports is limited to crimes known to the police, official arrests and police dispositions.

Court Statistics. Unfortunately, there is no statistical data on caseloads of criminal prosecutors and courts. The Prosecution Management Information Systems (PROMIS) permits classification by race or ethnicity, but only Los Angeles County, San Diego County, and Tallahassee list any Hispanic data (Mandel, 1979c).

Prison Statistics. There are no consistent data on the number of Hispanic inmates (Castro, 1980). California and Texas are beginning to include Hispanic tabulations in their felon characteristic profiles. Florida does not separate Cubans from Anglos. LEAA jail and prison surveys have some raw data on race and ethnicity, but nothing in published form on Hispanics. Offender Base State Correctional Informational System (OBCIS) does not yet key for ethnicity.

Probation and Parole. At this point we do not even have an accurate count of Hispanics on probation or parole.

Juvenile Justice. To our knowledge there is virtually no national data on Hispanic youth offenders.

Drugs and Alcohol. The National Institute on Drug Abuse (NIDA) has collected some data on Hispanics. The Client-Oriented Data Acquisition Program (CODAP), which collects information on people entering or leaving drug abuse programs, identifies Hispanics under these categories: Puerto Rican, Mexican American, and Cuban. Only about one-half of all CODAP programs nationwide participate in this automated information system. The National Survey on Drug Abuse has been conducted annually since 1971 on a national probability sample of the general population. The focus is upon the prevalence and modes of typical use of drugs. Unfortunately, Hispanics were included with whites in some years and "blacks and other races" in others. The Survey of Student Drug Use in America has been conducted annually since 1975 by the University of Michigan's Institute for Social Research. Unfortunately, it asks no question regarding race/ethnicity. Also, the National Drug Abuse Treatment Utilization Survey (NDATUS) and Drug Abuse Warning Network (DAWN), both NIDA projects, do not collect separate data on Hispanics. Data on Hispanics and drinking problems are virtually nonexistent. The National Institute on Alcohol Abuse and Alcoholism (NIAAA) Clearninghouse on Alcohol Information has one monograph series on special populations with limited data on Hispanics and alcohol. Both basic data and reviews of the literature on Hispanics, crime and alcohol abuse, to this point, simply do not exist.

III. HISPANIC INTERACTION WITH THE CRIMINAL JUSTICE SYSTEM

> The Mexicans, whether they be Texans or whether they preserve their original nationality, have been the victims both of their persons and property, and they have not been fully protected by the laws.
> --Comision Pesquisadora, 1873
>
> The rich get help, the poor get jail.
> --Chicano Public Defender, 1980

The unfolding history of the Hispanic community in the United States clearly documents unequal treatment before the law.[5] Hence, Hispanic grievances against the criminal justice system are longstanding ones (Endore, 1944; Morgan, 1954). And, while Hispanics actively protested these inequalities over time, their cries for justice often fell on unresponsive ears (Griffith, 1948; Lucey, 1948).

Until the late 1960s, Hispanics were seen as the "forgotten minority" or "the sleeping giant." As a separate ethnic or racial group their presence, even to this day, has gone unrecorded in criminal justice data sytems (see the preceding section). Unfortunately, the public image, perpetuated by sensational media presentation, but also by criminological literature, is that of stereotypic "drug addict," "wetback," or "gang member" (Trujillo, 1974; Bustamante, 1973). These images, in turn, tend to reinforce differentially negative treatment.

Although criminal justice data on Hispanics generally deny reliable empirical analysis, the fragments of data from various sources seem to indicate that Hispanics share high rates of victimization, arrest, conviction, and incarceration (U.S. Department of Justice, Bureau of Justice Statistics, 1980; Breiter, 1980). Recent correctional data unquestionably show that Mexicans in California and Puerto Ricans in New York State represent an increasingly disproportionate number of inmates in penal institutions (California Department of Corrections, 1982; Castro, 1980).

And, while Hispanics tend to be overrepresented in criminal justice as offenders and victims, they are underrepresented at all levels as criminal justice employees, particularly at the administrative and policy-making levels (Mandel, 1979c). Furthermore, there are even fewer Hispanic criminologists engaged in academic research on these issues.

These problems are not new ones. As early as 1919 a congressional report detailed fifty years of mistreatment of Mexican Americans by Texas law enforcement officers (U.S. Congress, Joint Committee Senate and House, 1919). These conditions were echoed by the National Commission on Law Observance and Law Enforcement (1931) and the U.S. Commission on Civil Rights (1971). And more recently, Salvador Baca, a member of the National Minority Advisory Council on Criminal Justice, wrote:

> Hispanics feel local, state and federal criminal justice institutions are unwilling to take any initiative in impacting the criminality afflicting Hispanic communities and barrios across the land (1980: 18).

Police

Unquestionably, of all sectors of the criminal justice system, the police are viewed with the greatest amount of fear, mistrust, and anger by the Hispanic community. Police-Hispanic conflict is certainly not a new phenomenon, but has been a mainstay of barrio life (Acuña, 1979; Morales, 1972). In the early history of the Southwest, the killing of Mexicans by law enforcement officers was commonplace and seemed beyond redress (Bancroft, 1885; Castillo and Amarillo, 1973; Samora, 1979). The issue has not died in the 1980s.

The literature on relations between Hispanics and police accounts for the largest segment of literature on Hispanics and criminal justice.[6] Like the literature in general, these studies are generally of a rather low-level theoretical yield. They range from purely statistical accounts to descriptive accounts doused heavily with moral outrage. Armando Morales' Ando Sangrando (1972) remains the closest approximation of a study which attempts to integrate theory, history, and empirical analysis with policy recommendations. But Morales' study only focuses on Chicanos in Los Angeles and was written in the early 1970s.

The congressional report, Proceedings of the Joint Committee of the Senate and House in the Investigation of the Texas State Rangers Force (1919), provides the first official government-commissioned study of police abuse of power in the Hispanic community. In the years to follow, countless government commissions, academic studies, and media stories would rediscover the issue.

Among the more dynamic of these studies is Alfredo Gonzalez' recent dissertation, "Mexicano/Chicano Gangs in Los Angeles: A Sociohistorical

Case Study" (1981). Gonzalez' work provides one of the few studies that blends primary and secondary data into a theoretical framework which explains the emergence of contemporary police-Chicano community relations with special reference to the Chicano gang problem. Lemert and Rosenberg (1948) also conducted a theoretically insightful study in the late 1940s. Based on Los Angeles police dispositions, it concluded that the police are more likely to make unsupportable arrests of Mexican Americans than Anglos. Another study which moves beyond description is Alfredo Mirande's (1981) analysis of community-police conflict in an urban Southern California barrio. Conducting a survey of community attitudes toward the police, Mirande found that (1) fear of crime leads to increased support for the police, while (2) fear of the police among barrio residents is associated with the desire to curb police power (1981: 65-86).

In recent years the most visible issue in the literature, as well as the most explosive issue in the community, has been police use of deadly force. Trujillo's (1983) recent study for the National Urban League provides a critical review of this literature. In his review Trujillo attempts to raise key empirical, theoretical, and political issues as they impinge upon Chicanos' struggle for justice. Trujillo charts the historical contours and material conditions giving rise to police use of deadly force in the barrio, as well as how Chicano communities have responded to these incidents. Jerry Mandel is currently writing his final report of a two-year study, "Research Project on Police Use of Deadly Force in Hispanic Communities." Mandel's study is based on detailed enthnographic studies of four heavily populated Hispanic communities. From the preliminary chapters, this promises to be one of the most comprehensive and realistic accounts yet produced. Mandel not only provides a thorough critique of current statistical-gathering processes, but also looks into the previously unexplored role of Hispanic police officers.

Police violence is also a key issue for most national Hispanic organizations. For example, police brutality was the key issue at the 1979 LULAC (League of United Latin American Citizens) State Convention in Texas; MALDEF (Mexican American Legal Defense and Education Fund) recently sponsored a national conference on police brutality in Dallas, where sixty cases were documented; and the National Council de la Raza recently held a conference on "Crimen y Justicia for Hispanics," in which police use of deadly force was a central topic.

Courts

Ever since the signing of the Treaty of Guadalupe Hidalgo in 1848, Hipanics have viewed the courts as working against them (Pitt, 1972). The case of Dominguez vs. State of California (1856) suggests one reason for the attitude: Manuel Dominguez, a California landowner and original signer of the state constitution, was not allowed to testify in court on behalf of the defense because of his "Indian Mestizo blood" (Heizer and Almquist, 1971). Several studies have documented racial discrimination in the courts since that period (Brown, 1945; Recio, 1977).

The lack of national statistical data on caseloads of criminal prosecutors and courts severely limits our understanding of the processing of Hispanics through the courts. The lack of good ethnographic descriptions of this process, especially as Hispanics themselves view the court experience, further limits our understanding.

In recent years, particularly since the civil rights movement, Hispanics have increasingly used the courts to seek redress for past racial discrimination and social injustice (see the MALDEF Newsletters). Yet the few studies and public testimonies available indicate most Hispanics continue to see drastic inequalities due to racial and economic discrimination at every decision-making point in the judicial process (Acosta, 1974; Ayala, 1970). Hispanics view the courts as insensitive to their culture (Swett, 1969); they consider that they receive disproportionately longer sentences (Sisson, 1979); and that they are excluded from grand juries (Tapia, 1971; Villalobos, 1972).

For Hispanic defendants, jail often looms as a probable verdict (Garza, 1973). This probability begins with denial of bail (U.S. Commission on Civil Rights, 1970) and proceeds through the degradation of pretrial detention (Obledo, 1980); culturally biased pretrial investigations and psychological evaluations (Herrera-Smith, 1980); lack of qualified, competent interpreters (Bondavelli and Bondavelli, 1980); lack of adequate legal counsel (Mondragon, 1973; Reynoso, 1970); racially biased judges ("Judge Dhargin Speaks," 1969); lack of representation by peers on juries (Villalobos, 1972); and the constant pressures to plea bargain to a guilty charge (Obledo, 1980; U.S. Commission on Civil Rights, 1970).

Many Hispanic defendants are either non-English-speaking or limited-English-speaking, yet the court does not guarantee qualified interpreters (i.e., when interpreters are provided they often lack legal expertise; there are no minimum qualifications for court interpreters) (Leibowitz, 1969). It is questionable if a Spanish-speaking defendant can receive a fair trial without a qualified interpreter (Safford, 1977). There have been some recent court cases and legislative challenges to ensure the rights of Spanish-speaking people in court (see Bondavelli and Bondavelli, 1981; Barcelo, 1979). But only California and New Mexico provide for such rights in their state constitutions, and neither state has an impressive record for ensuring this right (Chang and Araujo, 1975). Moreover, no statutes and few policies provide for interpreters at early stages--arrest, bail-setting, preliminary hearing--of the legal process (Mandel, 1980).

The situation is compounded by the acute lack of Hispanic workers in all phases of the judicial system (Baca, 1980). Hispanic judges, while growing in number, continue to be significantly underrepresented, particularly at the higher court levels (Reynoso, 1972). Within district attorneys' offices, Hispanics are virtually nonexistent and the few public defenders are extremely overextended (Mandel, 1980). Likewise, probation officers are overwhelmingly non-Hispanic (Baca, 1980). In recent years community-based Centros Legales and paralegal professional workers have greatly helped the plight of the Hispanic defendant. Under the Reagan administration, however, the funds for those services have been eliminated.

Corrections

Recent testimony before a state Task Force on Incarcerated Minorities in California (Obledo, 1980) and the National Advisory Council on Criminal Justice (1978) concur that Hispanics view prisons as a means of locking them into poverty. As a Chicano legal aid lawyer in Oakland put it: "Prisons are storage houses for the unemployed" (Obledo, 1978: 14). A Chicano prisoner added: "Once in the prison system, you can't get out. You become so badly debilitated, you no longer can assume a normal role in society" (ibid.: 14).

Davidson's Chicano Prisoners: The Key to San Quentin (1974) and Joan Moore's Homeboys are the only major studies on the topic. Davidson provides a good ethnographic description of prison life, but supplies a less than adequate analysis of Chicano pinto (prisoner) culture. Moore's Homeboys furnishes the most comprehensive and realistic analysis of Chicano experiences in prison yet published (see discussion above, Part I). Presently, no comparative study of Hispanic inmates exists. Likewise, neither biographical studies nor autobiographies by Hispanic prisoners have been published.

Generally, we still do not have an adequate profile of the Hispanic inmate (Lee, 1976, 1977). Castro (1980) and Mandel (1979b) alert us to the lack of good data from which to build such a profile. The little data available suggest that Hispanic prison populations are those growing fastest (Castro, 1980). Hispanics are more likely to be incarcerated for drug offenses (Moore, 1979; Sisson, 1979). Once in prison, Hispanics lack the opportunity to constructively use their time and there is a lack of preparation for reentry into the community (Chicano Pinto Research Project, 1979; Herrera-Smith, 1980). Vocational training is obsolete, psychiatric counseling is culturally insensitive (Davidson, 1974; de la Torre, 1980), there is a lack of bilingual/bicultural programs and personnel (Castro, 1977; Moore, 1979), prison guards are often accused of harboring racist attitudes (Estrada, 1970), parole criteria often work against Hispanics (Sisson, 1979), and Hispanic self-help groups are discouraged (Moore, 1979). Hispanics are extremely underrepresented as correctional employees, especially at the administrative levels (Sisson, 1979). Moving to probation and parole, the picture does not improve. Furthermore, there are the special problems facing the undocumented Hispanic immigrant (Belsky, 1980).

The Hispanic Response

In response to the demands of a number of national Hispanic organizations, the Department of Justice has sponsored several Task Force Reports, symposia, and conferences aimed at seeking solutions to the serious problems facing the Hispanic community in relation to criminal justice. Some of them include:

- The creation of the National Minority Advisory Council on Criminal Justice to LEAA. The Council, formed in 1976, was charged with advising local, state, and national policy-makers on issues of criminal justice. The Council also conducted nationwide hearings in minority communities (see Baca, 1980, for a summary of these hearings).

- In 1979, the Community Relations Service, U.S. Department of Justice, along with the major national Chicano organizations, sponsored a "Symposium on Contemporary Issues in Texas Police-Community Relations" in San Antonio, Texas. A series of workshop recommendations was published to help policymakers improve Chicano-police relations (see Community Relations Service, 1979).

- In 1979, the National Council de la Raza (NCLR) and the National Institute on Law Enforcement and Criminal Justice (NILECJ) held a symposium on "Crimen y Justicia: Crime and Justice for Hispanics" in Racine, Wisconsin. At this conference a national cross-section of Hispanic specialists in the area of criminal justice generated recommendations for policy and research to improve criminal justice responsiveness to Hispanics (final report unpublished).

- In 1979, NCLR held a symposium, "Corrections," in Dallas, Texas, cosponsored by the National Institute of Corrections (NIC), which generated police recommendations to improve correctional institutions' responses to Hispanics (final report unpublished).

- In 1980, the National Urban League held a symposium, "An Assessment of Research on Minorities, Crime and the Administration of Justice," cosponsored by the National Institute of Justice. Research papers, bibliographies and policy recommendations were presented (see Special Issue, The Urban League Review, 1981, for synopsis). The bibliographies were never published.

- In 1980, LEAA sponsored a "National Hispanic Conference on Law Enforcement and Criminal Justice" in Washington, D.C. Workshops included: Police, Courts, Corrections, Juvenile Justice, and Undocumented Workers. Papers were presented and participants drafted a series of recommendations to improve criminal justice (U.S. Department of Justice, 1980).

These symposia and conferences represent hundreds of hours of dialogue as well as hundreds of pages of recommendations for improving the relations between Hispanics and criminal justice. Several of these proceedings have yet to be published. More important, to my knowledge there has been no follow-up to determine whether these recommendations have been discussed or implemented. (The list represents only symposia that I participated in; there may be many more that I do not know about.)

IV. A SUMMARY OF RESEARCH NEEDS

This review of the literature has highlighted some of the salient research issues and problems regarding Hispanics and criminal justice. A central research problem is the validity of official data as an indicator of Hispanic involvement in crime and criminal justice. Presently, good data simply do not exist. Second, there is a paucity of research on Hispanics and criminal justice. The literature that does exist is generally of a low-level theoretical yield. Research findings in the field are frequently ambiguous or contradictory. Further, the failure to incorporate Hispanic perspectives into the research process often serves to perpetuate racial stereotypes concerning Hispanics and crime. Yet existing criminal justice data and research findings shape public opinion and criminal justice policy.

At this point, we still need basic research on Hispanics and criminal justice. State of the arts papers and annotated bibliographies are needed for almost every area of criminal justice, including the related areas of drug and alcohol abuse and immigration. Hispanic researchers need to be encouraged to engage in this research. Victim surveys and self-reports of criminal conduct based on probability samples of the general population, rather than police statistics, are essential for accurate understanding about crime and criminals, and should be encouraged. Moreover, most criminal justice research compares Hispanics and Anglos. There has been very little intra-racial or intra-ethnic comparison across time and geographical regions. How does crime among Mexicans in Los Angeles compare to that in Denver or South Texas? How does the Puerto Rican community in New York respond to crime as compared to Cubans in Miami? How does one account for differential rates of criminal conduct in the same barrio or neighborhood or family?

Furthermore, to understand crime and criminal justice in the Hispanic community, they must be understood historically. Most criminological studies on Hispanics and criminal justice lack historical framework. An historical analysis of how the various Hispanic communities settled and developed over time would undoubtedly produce a rich analytic yield. The

Mexican barrio, for example, was created through conquest and annexation and its relationship to criminal justice and other social institutions reflects this historical form of entry. Puerto Ricans, on the other hand, began a massive emigration as laborers to the Northeast cities in the mid-1950s. The Cuban migrants after the Cuban revolution were largely middle class (landowners, businessmen, etc.), whereas the recent migration was of poor people. Hence, while Hispanics share certain similar experiences, each community has a unique history.

One of the biggest gaps in the field of criminology is the paucity of good ethnographic research. While statistical data provide us with useful information about Hispanics and crime, they reveal little about how crime has manifested itself over time and become a persistent reality of barrio life.

In the task of unraveling and explaining the complex interconnections among race, class, and crime, detailed ethnographic descriptions of community life are essential. Community studies in Chicano, Puerto Rican, and Cuban communities which link structures (political economy) to culture (the way Hispanics adapt to community life, including the development of alternative institutions) to biography (how individuals choose their options) would generate crucial data for understanding and explaining crime and criminal justice in these ethnic communities. Equally important, the studies would offer an opportunity to conduct a comparative analysis of the similarities and differences in criminal activities and responses to crime in each community.

A comparative analysis would be extremely important because of the tremendous diversity among Chicanos, Puerto Ricans, Cubans and other

Latinos currently categorized under the rubric Hispanic. While each ethnic group shares certain linguistic and religious similarities, each group has its own unique cultural sociohistorical evolution in the United States. Heterogeneity, not homogeneity, characterizes Hispanics. Yet criminal justice researchers and the general public tend to see Hispanics as homogeneous. The return from these community studies would be invaluable for policymakers.

Although criminal justice data prohibit precise understanding, existing evidence does suggest that Hispanic offenders receive differential treatment within the criminal justice system. Further, recent data suggest that the farther along in the criminal justice system Hispanics move, the more acute this differential becomes. And, while Hispanics are disproportionately represented in the criminal justice process, the few self-report surveys which exist indicate that Hispanics are not disproportionately engaged in crime and criminal conduct. This contradiction needs to be fully analyzed and explained. While better data and methodologies are required, viewpoints from Hispanics being processed through the system are also essential.

The evidence of racial discrimination and use of excessive force by the police is fairly conclusive. The impact of Hispanic police and Hispanic police officer organizations on crime and criminal justice in the barrio is less clear. We still have very little understanding about Hispanics who are processed through the courts. They appear to receive differential treatment both in the types of dispositions imposed upon them and the severity of sentences. Data on court caseloads are essential, as are Hispanic offenders' views of the process. Also crucial is a better analysis of the role of prosecutors, public defenders, court interpreters, and legal counsel. At the level of corrections, we need better data from which to build Hispanic prisoner profiles. The intra-ethnic experience in prison should also be explored.

We need to assess whether existing vocational and rehabilitation programs meet the special needs of Hispanic inmates. Similarly, psychological diagnosis, prognosis, and classification need to be assessed for cultural and racial bias. Another important research need is good biographical and autobiographical studies of the Hispanic prison experience.

Other research needs include (1) extended victimization studies, including the viewpoint of Hispanic victims on their treatment by the criminal justice system once they report a crime; (2) a national assessment of Hispanic employment histories at all levels of the criminal justice system, including an analysis of why Hispanics leave their jobs; (3) studies on Hispanic women and crime (this is perhaps the most underdeveloped research area in criminal justice); (4) analysis of the relationship between alcohol abuse and crime in the Hispanic community; (5) analysis of how Hispanic communities respond to crime, including community networking and alternative institution building; (6) the Hispanic experience with parole and probation; (7) and the special problems facing undocumented immigrants as they become involved with criminal justice. Again, many of these important issues can be incorporated into a series of comparative Hispanic community studies.

Final Comments

The Hispanic population is the fastest growing minority population in the United States. High birth rates and continued high rates of immigration will extend this population boom. One of the most striking features of the Hispanic population is its youthfulness. For example, 42 percent of the Chicano population is under the age of eighteen, and over 56 percent of the entering kindergarten class in the Los Angeles School district is Chicano.

Concentrated in urban barrios with deteriorating social conditions and economic opportunities, few options are available for this expanding youth population. Current fiscal crises and urban industrial flight that cause job markets to shrink, along with severe cutbacks in education and social services, are only exacerbating an already serious situation. An increasing public concern about "street crime" and a political shift to a decisively more conservative "get tough" approach to crime control have led to a barrage of "law and order" legislation, heavy police deployment in minority communities, and an unprecedented increase in the growth of prison construction.

Given these social conditions it can be predicted that unless workable social alternatives are formulated and acted upon, Hispanics will continue to swell the ranks of our prisons.

NOTES

1. See, for example, Young (1922), Garretson (1919), Garth (1923), Manuel (1930), Sanchez and Vaca (1970) for a critical review of psychological perspectives on the Chicano.
2. See, for example, Bamford (1924), Thompson (1927), McLean (1928), Bogardus (1941), Humphrey (1941); also see Sullenberg (1924), Walker (1942).
3. See Romano (1968), Hernandez (1970), Rocco (1970), Munoz (1970), Vaca (1970).
4. A fundamental part of the problem lies in the lack of definitional (not to mention conceptual) clarity of the terms "race" and "ethnicity." Criminal justice agencies generally use the definition of Hispanic found in the Statistical Policy Handbook (1978: Directive No. 15): "A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race." It is unclear, however, how this determination is made across criminal justice agencies (if it is made at all). There is currently no uniformity or consistency in this data collection. More importantly, crime and criminal justice practices vary significantly within the Cuban, Mexican American and Puerto Rican communities (not to mention Central Americans, South Americans, Spanish, Portuguese and Filipino, all of whom are often lumped under Hispanics).
5. For a historical ccount of Hispanics and criminal justice, see Acuna (1972), Bancroft (1887), Belle (1925), Cortes (1974), Crichton (1969), Castillo and Amarillo (1973), Greenwood (1960), Heizer and

Almquist (1971), Hittell (1885), Hoffman (1974), Holden (1940), Hollon (1974), Moquin (1971), Rosenbaum (1981), Pitt (1966), Samora (1978), Trujillo (1974, 1978), Weber (1973), Webb (1965).

6. See Bayley and Mendelsohn (1969), California Legislative Assembly Select Committee on the Administration of Justice (1972), Chavira (1978), Mexican American Legal Defense Fund (1978), Geilhufe (1972), Gomez (1971), Heins (1972), Paz (1980), Rendon (1971).

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